

AGENDA

BOARD OF MAYOR AND ALDERMEN

October 16, 2007

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation of the Bright Ideas Award to Colleen Driscoll, Police Department Payroll Coordinator.
4. Presentation of the Askew Award to Edward Wojnilowicz, Recreation Enterprise Manager and Marty Boldin, Youth Services Director.

CONSENT AGENDA

5. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. On October 5, 2007 authorizing the Police Department to expend up to \$100,000 for Gang/Drug Interdiction Activities.
(Unanimous vote with the exception of Aldermen Roy and Gatsas who were unavailable.)

Pole Petitions – approve under the supervision of the Department of Highways

- B. PSNH Pole Petition #11-1174 located on South Beech Street;
PSNH Pole Petition #11-1175 located on Holt Avenue; and
PSNH Pole Petition #11-1176 located on Red Coat Lane.

Informational – to be Received and Filed

- C. Minutes of the MTA Commission meeting held on August 28, 2007 and the Financial and Ridership Reports for August 2007.
- D. Communication from the State of NHDES advising of three evening seminars for local officials representing communities with stressed wastewater treatment plants to be held on November 5th in Littleton, November 8th in Concord, and November 14th in Keene.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- E. Resolution:

“Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Police.”

REPORTS OF COMMITTEES

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

- F. Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

- 6. Nominations to be presented by Mayor Guinta, if available.

7. Confirmation of nominations to the Board of Recount as follows:
Richard Danaïs to succeed Andre Martel (term limit), term to expire October 1, 2009; and
Arthur J. Beaudry to succeed Peter McDonough (term limit), term to expire October 1, 2009.

If the Board so desires, a motion is in order that the nominations be confirmed as presented.

8. Report to be presented regarding funding sources for Police radios and equipment.
9. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
10. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

11. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
12. Communication from Leo Bernier, City Clerk, suggesting that the first meeting in November be held on Wednesday, November 7th due to the Municipal General Election being held on the first Tuesday.
Ladies and Gentlemen, what is your pleasure?
13. Communication from Leo Bernier, City Clerk, requesting the Board set the polling hours for the Presidential Primary (such date yet to be scheduled) from 6:00 AM until 7:00 PM.
Ladies and Gentlemen, what is your pleasure?
14. Review of Revenue Projections for the FY2008 Tax Rate to be presented by the Finance Officer.

15. Communication from Freda Hawkinson, Spokesperson for the Non-Affiliated employees, requesting the Board's consideration of items submitted noting same has been negotiated by other bargaining units within the City.

Ladies and Gentlemen, what is your pleasure?

16. Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

(Note: Clerk to present amount at meeting.)

Ladies and Gentlemen, what is your pleasure?

17. Bond Resolution: **(A motion is in order to read by title only.)**

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Four Hundred Seventy Five Thousand Dollars (\$2,475,000) for the City of Manchester's portion of the costs for renovating the Manchester School of Technology.”

If the Board so desires, a motion is in order that the Bond Resolution pass and be Enrolled.

18. Resolution: **(A motion is in order to read by title only.)**

“Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Police.”

If the Board so desires, a motion is in order that the Resolution pass and be Enrolled.

TABLED ITEMS

A motion is in order to remove any of the following from the table for discussion.

19. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)

(Tabled 09/05/2006)

20. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)

(Tabled 09/05/2006)

21. Report of the Committee on Community Improvement advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

(Unanimous vote)

(Tabled 05/15/2007. Additional materials provided by Finance enclosed.)

22. A Majority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

(Tabled 06/05/2007)

- A Minority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

S/Alderman Lopez

(Tabled 06/05/2007)

(Note: additional communications from Alderman Garrity and petitions enclosed.)

23. NEW BUSINESS

- a) Communications
- b) Aldermen

24. If there is no further business, a motion is in order to adjourn.



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



September 17, 2007

IN BOARD OF MAYOR & ALDERMEN

DATE: 10/2/2007

ON MOTION OF ALD. Lopez

SECONDED BY ALD. Shea

Mayor Frank Guinta and the Board of Aldermen
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Bright Ideas Award VOTED TO Approve request and
table presentation

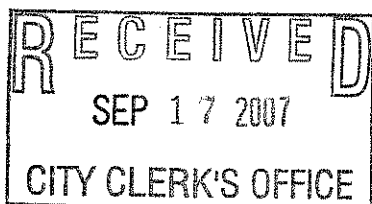
To the Honorable Mayor Guinta and Board of Aldermen:

The City adopted a Bright Ideas Program several years ago. The program has two components. The first component is for employees to make suggestions that will improve one or more of the following: Economy, efficiency, effectiveness or safety of City operations. The second component is for extraordinary service. An award may be given to an employee who does something that far exceeds the normal expectations of his/her position. All suggestions are sent to an Evaluation Committee for review and consideration of an award. The Evaluation Committee has determined that Colleen Driscoll, Payroll Coordinator, Police Department, should receive an award for making an economical suggestion.

Ms. Driscoll's suggestion is the following:

When new Police Officers are hired and they are sent to Police Standards and Training to become Certified Police Officers, they work a schedule of Monday to Friday. As such, when there is a holiday, they are given the day off with pay. However, they are paid again for the same holiday when the permanent Police Officers who are on a rotating schedule receive holiday pay. These payments are made in June and December. This means that the probationary Police Officers are being paid twice for the same holidays. Ms. Driscoll suggests that this double payment stop to save the City money.

The actual amount of savings will vary dependent upon the number of Police Officers that are hired in any given year. However, this year there were eleven new Officers hired and by not paying them twice for the same holidays, the Police Department will save \$8,800.



3

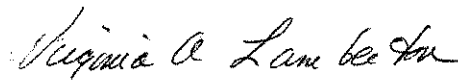
September 17, 2007

The Evaluation Committee as well as Chief Jaskolka agree with this proposal. Therefore, the Committee is recommending an award of \$500 to Ms. Driscoll.

The Policy requires that the Mayor and Board of Aldermen approve of this award. Therefore, on behalf of the Quality Council and the Evaluation Committee, I am requesting your approval of this award. Pursuant to the Bright Ideas Policy, if approved, the funds to make this payment will be taken from contingency funds. A check will be issued from the Police Department. Upon approval of the Mayor and Board of Aldermen, a transfer will be made to the Police Department to reimburse the Department for the \$500 award.

Thank you for your consideration.

Respectfully submitted,



Virginia A. Lamberton
For the Quality Council

Cc: Chief Jaskolka
Bill Sanders, Finance Officer
Colleen Driscoll
Quality Council



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



October 9, 2007

Mayor Guinta and the Board of Aldermen
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

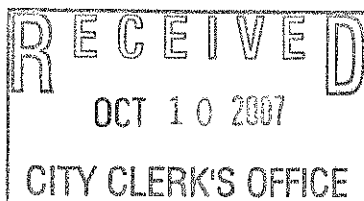
Re: Special Recognition for Askew Award

To the Honorable Mayor and Board of Aldermen:

For the past five years, the City has been sending employees to the State sponsored program called the Certified Public Management Program. The mission of the program is to advance the profession of public management through training and experiences that emphasize a Public Manager code of ethics, the value of respectful communication, critical thinking and effective problem solving, continued professional development, networking in the public sector and adherence to the standards established by the National Certified Public Manager Consortium.

This is an intensive program and consumes a lot of the participants personal time to graduate. Each year the City sends an average of twelve (12) employees to this program. In addition to attending many classes, doing papers, etc., the attendees must do a project that will improve the community in which they live.

Two of our employees, Edward Wojnilowicz, Recreation Enterprise Manager, and Marty Boldin, Youth Services Director, were participants in the Certified Public Management Program. They joined together and did a project they titled *The Drive Initiative*. The purpose of the project was to establish a formal process by which youth assigned to the OYS through the court diversion process, could access City parks and facilities in order to perform community service tasks. The project focus is to address this need by creating a structured environment in which the process is viewed less as an imposed sentence and more of a positive community experience. The DRIVE (acronym for Delinquency Prevention, Restorative justice, Involving, Volunteers and, Environmental maintenance) combines education, positive values and fun with active voluntary service thereby instilling a sense of ownership between participants and the facilities which comprise our community. Project activities also provide a much needed infusion of manpower to address labor intensive tasks at these locations.



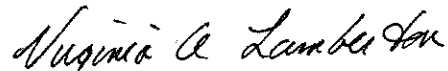
4

Mr. Wojnilowicz and Mr Boldin's project was submitted for the Askew Award. This is a national award that is given to one project from each of the twenty four states that have a Certified Public Management Programs. The award is to acknowledge exemplary work in the completion of their projects while in pursuit of their certification as a Public Manager. These awards are named for George C. Askew, recognized as the first person to receive Certified Public Manager certification. Mr. Askew was a leader at both the local and national levels in the early days of the organization. These awards are presented to those selected by each state Public Management program and are given *"for the utilization of management practices exemplifying the philosophy of the American Academy of Certified Public Managers in the completion of an exceptional curriculum project"*.

Unfortunately, neither Mr. Wojnilowicz nor Mr. Boldin were able to go to the national meeting to accept their awards. Therefore, I would like the Mayor and Board of Aldermen to present their award which is a medallion at the meeting on October 16, 2007.

We should be very proud to have two City employees receive this very prestigious award. Please join me in celebrating their great accomplishment.

Respectfully submitted,



Virginia A. Lamberton
Human Resources Director

14



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Mayor Guinta

Requesting to authorize the Police Department to expend up to \$100,000 for Gang/Drug Interdiction Activities with the intent to transfer \$100,000 from contingency at the next meeting of the Board.

A

Board of Aldermen

Yeas and Nays

Upon BMA Poll

\$100,000 to Gang / Drug

Oct. 5 2007

Aldermen	Yea	Nay	Absent	Pass
Ward 1 - Roy			LW	
Ward 2 - Gatsas			LW	
Ward 3 - Long	✓			
Ward 4 - Duval	✓			
Ward 5 - Osborne	✓			
Ward 6 - Pinard	✓			
At Large - O'Neil	✓			
At Large - Lopez	✓			
Ward 7 - Shea	✓			
Ward 8 - DeVries	✓			
Ward 9 - Garrity	✓			
Ward 10 - Smith	✓			
Ward 11 - Thibault	✓			
Ward 12 - Forest	✓			
TOTAL:				

A

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

September 14, 2007

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one (1) pole, 74/010-1 and re-license one (1) pole, 74/010 located on South Beech Street in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1174
Dated: 8/15/2007

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Licensing Specialist

VERIZON NEW ENGLAND, INC.

BY: 
Right of Way Department

B

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

September 17, 2007

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**


request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License two (2) poles, 746/32Y and 746/32Y-1 located on Holt Avenue in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1175
Dated: 9/17/2007

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Licensing Specialist

VERIZON NEW ENGLAND, INC.

BY: 
Right of Way Department

B

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

September 25, 2007

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one (1) pole, 1018/1Y located on Red Coat Lane in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1176
Dated: 9/25/2007

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: _____

Licensing Specialist

VERIZON NEW ENGLAND, INC.

BY: _____

Right of Way Department

B

**MANCHESTER
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
PETER ESCALERA, VICE CHAIR
JOSEPH DESELLE
MAUREEN A. NAGLE
CAROL WILLIAMS

DAVID SMITH
EXECUTIVE DIRECTOR

September 26, 2007

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Leo,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, September 25, 2007. Enclosed are the approved Minutes of the August 28, 2007 Commission Meeting, August 2007 Financial Report, and August 2007 Ridership Report.

The next scheduled Commission Meeting will be Tuesday, October 30, 2007 at 5:00 PM.

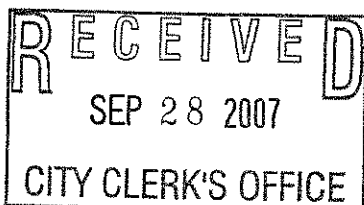
If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

David Smith
Executive Director

DS:cr

Enclosures



MANCHESTER TRANSIT AUTHORITY

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
PETER ESCALERA, VICE CHAIR
JOSEPH DESELLE
MAUREEN A. NAGLE
CAROL WILLIAMS

DAVID SMITH
EXECUTIVE DIRECTOR

Manchester Transit Authority

August 28, 2007 Commission Meeting

MEMBERS PRESENT:

Chairman John H. Trisciani
Vice Chairman Peter Escalera
Commissioner Joseph Deselle
Commissioner Maureen A. Nagle
Commissioner Carol Williams

PERSONNEL PRESENT:

David Smith, Executive Director
Karyn Bennett, Assistant Executive Director
William J. Cantwell, Supt. of Administration
John Huber, Operations Planning Manager

PERSONNEL ABSENT:

Paul Beauregard, Shop Manager

OTHERS PRESENT:

Edmund Joyce, ATU Local 717 President
Representatives from Symetra Financial

1. a. Chairman TRISCIANI called the meeting to order at 5:05 PM.
- b. TRISCIANI suspended the regular order of business to allow ATU, Local 717 President Edmund Joyce an opportunity to speak. JOYCE explained the Union has been trying to get health benefits for the part-time operators and Symetra Financial has a plan and price that is affordable. The Union will be offering the plan to part-time operators and requested assistance from MTA to do payroll deduction. JOYCE explained the payment would be before-tax and the Union will do the administration and have sole responsibility for the plan. SMITH stated CANTWELL has talked to an IRS representative, as well as our outside auditors, and they indicate unless it is a company sponsored plan it cannot be considered

tax exempt or before-tax. JOYCE replied that would not deter them from offering the insurance and asked CANTWELL if he does take from payroll, would the MTA be willing to pay the monthly invoice. TRISCIANI replied if this plan is being run by the Union then the Union should be responsible for payment. SMITH explained the Union will be the sponsor and the premium will be paid entirely by the employee with no company contribution. JOYCE stated they are also offering disability insurance. ESCALERA asked what does the insurance cover. JOYCE replied there is co-pay for doctor visits, prescription coverage, life insurance, and disability insurance. He anticipates 20 to 25 employees signing up for this coverage. TRISCIANI thanked JOYCE and gentlemen from Symetra Financial and informed them the Board will discuss and contact him with their decision.

- c. **Approve Minutes of July 31, 2007 Commission Meeting.** WILLIAMS made a motion to approve the Minutes of the July 31, 2007 Commission Meeting. Seconded by DESELLE. All Commissioners in favor.

MANAGEMENT REPORTS

2. a. **Financial Report for July 2007.** NAGLE made a motion to approve the Financial Report for July 2007. Seconded by WILLIAMS.
- Transit Operation:** CANTWELL reported revenues were \$298,352; \$1,855 (0.62%) less than the budget. Farebox tickets and shuttle revenues were \$3,495 less than budget. Farebox averaged \$766 per day; down \$50 per day. There were no substantial variances in revenues. Transit expenses were \$339,380; \$402 (0.12%) more than budget. The driver labor variance is a timing issue with payroll and implementation of the COA.

School Operation: CANTWELL reported revenues were \$203,166; \$17,785 (9.59%) more than budget. July and August billings are based on the number of buses per the contract. He explained once school starts and we know the final numbers of buses, he will go back and issue credits. The contract was for 57.5 buses and we are down to 52 buses this contract year. School expenses were \$111,716; \$5,235 (4.48%) less than budget. There were no substantial variances this month.

CANTWELL reported there is \$374,000 in the school capital replacement account but will decrease in August because we spent \$250,000 buying school buses. TRISCIANI asked if we have a bus going into St. Anselms College.

BENNETT replied the Bremer Street bus would be rerouted September 4th to go into the college, returning inbound on Rockland Avenue and Milford Street.

The check register was reviewed. CANTWELL explained the month of July is the start of the contract year for uniform and tool allowance purchases so employees are beginning to spend their allowance.

Accounts Receivable was reviewed. CANTWELL reported a couple of problem invoices have been cleared up except for West and Central High Schools.

All Commissioners present in favor of approving July 2007 Financial Report.

b. **Operations Reports for July 2007.**

Transit-School Report:

Transit: BENNETT reported July was the month we implemented the COA.

She said we received ample feedback from the public and drivers and they are in the process of implementing changes. Two changes that will begin September 4th are having the Bremer Street bus going to St. Anselms' College and having the

last inbound So. Willow bus servicing E&R Cleaners on Gold Street. She and HUBER headed the Senior Transportation Committee meeting held on July 26th. She explained this Committee has been meeting throughout the year and will begin to start “travel training” for Manchester Housing residents in October with the help of the Senior Center, MHA, and Easter Seals.

School: BENNETT reported during the summer we had 3 buses providing service for the extended school year and we continued to offer charter service throughout the month. Training for new school bus drivers started on July 9th. School Operator/Certified Trainer Karen Holden was promoted to replace Louise Gaudreau as Training Coordinator.

Transit-School Statistics Ridership Report: HUBER explained that with the start of the COA there is no year-to-year ridership comparison because the routes have changed. Ridership was low this month as compared to same month last year. TRISCIANI asked about lost time injuries. SMITH replied there were no injuries during the month, but one employee was out on workers compensation. ESCALERA asked if staff has had positive feedback from the COA changes. HUBER replied drivers have indicated the passengers like the new routes. ESCALERA requested a bus schedule rack be sent to the Elliot Hospital. DESELLE suggested doing the same for Catholic Medical Center.

Maintenance Report: BEAUREGARD was unavailable to present his report.

NEW BUSINESS

3. a. **FY 2007 Cost Allocation Plan.** CANTWELL reported that because we operate school, we are required by FTA to have a Cost Allocation Plan to allocate the indirect costs to each division fairly and equitably. He explained he works off the

previous 12 months to come up with his percentages to allocate his indirect expenses. He also has to review the previous years' expense allocations and analyze the variances between the two cost allocation plans and if the variance is more than \$10,000 he is required to make corrections. Last years' variances were less than \$1,400. WILLIAMS made a motion to approve the Cost Allocation Plan for FY 2007. Seconded by DESELLE. All Commissioners in favor.

- b. **Wal-Mart/Stanton Park Bus Shelters.** SMITH explained the Highway Department petitioned the Board of Aldermen to allow us to move the bus shelter at the north end of Veteran's Park south to where the buses stop, and also to move the shelter by Wall and Spring Streets 35' north on Elm. The Board of Aldermen approved these requests and shelters were moved last week. SMITH explained placing a shelter at Wal-Mart on Keller Street has been an issue since 2005. He has been talking to Wal-Mart about putting a shelter on their property and was given permission to do so, but they weren't volunteering to pay for any costs. We did get a cost estimate and a commitment from Signal Advertising to provide the shelter and pay \$2,000 towards the cost of the pad. The issue is there are no sidewalks and no curb cuts into the parking lot to allow wheelchair passengers a place to get off the pad. SMITH explained we are unable to move forward because we are \$5,000 short of the cost to do this. The City will put in the curb, so that will cut about \$600/700 off the cost. The shelter company is willing to put in \$2,000, making us \$5,000 short. He sent Wal-Mart a letter requesting contribution and has made phone calls, but has not received a response. SMITH asked the Board if they would be willing to spend money for a shelter pad if Wal-Mart comes up short of the \$5,000. CANTWELL stated FTA would not share in

that cost, it would have to be 100% local share. WILLIAMS stated she meets with City officials often regarding ADA issues and has been trying to get them to correct the non compliant parking issue for 7 years. WILLIAMS asked where the pressure is coming from to do this. TRISCIANI replied the passengers are contacting their Aldermen.

SMITH explained another shelter issue is at Kelley Falls apartments. That shelter was destroyed about a year ago and was removed because it was our shelter. We have received requests that it be replaced and since we have enough old shelter pieces to put one together, he feels it should be replaced. SMITH talked about reinstituting a shelter program of our own because the advertising shelters are only placed in locations where they can generate advertising revenue. We have about 7 shelters that are ours and will need to be replaced if they get damaged or destroyed and we are getting demands for shelters in areas that will not generate advertising revenue. When we program our federal funds and amend the TIP we should schedule money for a street furniture program to supplement what the advertising company does. TRISCIANI said there is an MTA bus shelter on Mammoth Road in front of CVS and he feels there should be an advertising shelter at that location because of the traffic volume.

In the event we have to spent money to erect a shelter at Wal-Mart, SMITH requested a motion from the Board to spent \$5,000. WILLIAMS requested approaching the Mayor herself because of the fact it is ADA compliance and would like to table this topic until the next meeting to allow her an opportunity to see if there is anything she can do. She said the City has CIP funding for curbs and sidewalks for ADA compliance. WILLIAMS made a motion to table this

topic. Seconded by NAGLE. All Commissioners in favor. ESCALERA stated since the MTA is bringing revenue to Wal-Mart by providing transportation for people to spend their money, he will vote against our spending any money to erect a bus shelter so Wal-Mart can benefit.

- c. **SNHPC's Annual Meeting.** SMITH reminded the Board of SNHPC's Annual Meeting on September 14th. The guest speaker is Senator John E. Sununu.

OLD BUSINESS

- 4. a. **Triennial Review Status.** SMITH said the Triennial Review has been completed. He explained the reviewer does a draft final report and goes over the findings of this report at the exit conference. There were 2 deficiencies (negative findings); one was in reviewing the federal draw-downs. The procedure is CANTWELL does the draw-down and SMITH signs off. SMITH didn't sign off on every draw-down, so that was a deficiency. They also found our Maintenance Plan deficient, even though this plan has been reviewed in prior reviews and found satisfactory. They did not find any problems in reviewing the Maintenance Department, but found the plan was lacking thorough descriptions of what we do. SMITH said we had 7 days to respond to the draft final report. SMITH commended staff for doing a great job gathering information for this review.
- b. **Solicitation for New Management Contract.** TRISCIANI explained the five year contract with First Transit expires February 11, 2008. The RFP will be advertised in "Passenger Transport" in their September 3rd edition. The RFP's will be mailed to 10 vendors on September 4th. TRISCIANI explained he will not be conducting a pre-bid conference, but vendors interested in coming to the facility will have the option to make arrangements. If 2 or more vendors are

interested, then he will set up a date. At the last meeting it was discussed working as a Committee or as a whole. NAGLE expressed her interest in serving on this Committee. TRISCIANI and NAGLE will serve as the review Committee and report to the Board. All Commissioners agreed.

OTHER BUSINESS

5. a. **Health Insurance for Part-time Operators.** TRISCIANI asked the Board's position on payroll deduction for the Union-sponsored health insurance plan. CANTWELL said the ultimate obligation is having the employee write a check to the Union, but we will withhold the money as a courtesy. ESCALERA asked if they would bring up health insurance for part-time operators during their next contract negotiations. SMITH replied this has been an issue for the last two contracts. NAGLE feels there will be a lot of goodwill if we go ahead and take payment through payroll deduction. TRISCIANI said make sure the Union is aware we will not be responsible for collections if an employee is absent. SMITH said agreeing to do the payroll deduction does not mean we are endorsing the plan. One of his concerns is that while soliciting this insurance, the vendor was informing employees it was going to be deducted before-tax. CANTWELL verified we could not deduct before-tax, but JOYCE said they were willing to offer it anyways. WILLIAMS said to stipulate to the employees this is not an MTA sponsored plan and nonnegotiable. TRISCIANI agreed adding to let them know it is not tax exempt, not a company sponsored plan, not management's responsibility to administer, and is a non negotiable issue in the contract. NAGLE would approve if presented in that way. CANTWELL will create a payroll authorization form so any employee taking out this insurance signs it and

gets a copy. NAGLE made a motion to allow health insurance payroll deduction for part-time operators. Seconded by WILLIAMS. All Commissioners in favor.

- b. **ADA Forum.** WILLIAMS commended HUBER for attending a Saturday forum for people with disabilities. Present were 3 Aldermen, presidential campaign representatives, and other people from the disability community. WILLIAMS explained after HUBER left the meeting, people complained that they were not being tied down on the buses. WILLIAMS feels it is very inappropriate for the drivers to ask, it should never be an issue; they should always be tied down. BENNETT asked WILLIAMS to contact her community and tell them if a driver does not tie them down that they need to call us. She also knows it is her responsibility as a wheelchair rider to say she wants to be tied down but many people in the disability community are passive and will not ask. Another topic they discussed was transportation for people with disabilities, particularly at night. WILLIAMS suggested coordinating with other transportation carriers that have vans and incorporate them into providing transportation at night for the Verizon, Palace Theatre, or other events. SMITH explained there is a New Freedoms grant that we applied for 6 months ago that would cover this type of service and is pending before the FTA, but we would have to find local share. WILLIAMS stated some of the people said they are afraid to use the fixed route bus and some didn't know about StepSaver but found out information from HUBER that day.

- c. **Date for Next Meeting.** Tuesday, September 25, 2007.

With no further business to come before the Board, ESCALERA made a motion to adjourn the meeting at 6:50 PM. Seconded by WILLIAMS. All Commissioners in favor.



Transit

August 2007

C

Manchester Transit Authority
Income Statement Transit
For the Two Months Ending August 31, 2007

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
Farebox Revenue					
Farebox Revenue	\$21,432.90	\$19,035.00	\$38,549.66	\$36,660.00	\$1,889.66
Adult Fares	1,890.00	2,300.00	3,060.00	4,600.00	(1,540.00)
Adult Monthly Fares	3,725.00	2,400.00	6,511.00	4,800.00	1,711.00
Senior Citizens Fares	1,052.00	1,000.00	1,815.00	2,000.00	(185.00)
Senior Citizen Monthly Fare	1,417.50	1,000.00	1,697.50	2,000.00	(302.50)
Disabled Rider Fare	2,029.71	1,750.00	3,800.76	3,500.00	300.76
Student Fares	217.50	850.00	485.00	1,700.00	(1,215.00)
Total Farebox and Tickets	31,764.61	28,335.00	55,918.92	55,260.00	658.92
Shuttle and Excursions					
Shopping Shuttle	1,320.00	1,260.00	2,580.00	2,520.00	60.00
Excursion Revenue	365.00	1,200.00	843.50	2,400.00	(1,556.50)
Total Shuttle and Excursions	1,685.00	2,460.00	3,423.50	4,920.00	(1,496.50)
Other Revenue					
Sale of Fuel to City Departments	29,553.97	28,750.00	58,987.74	57,500.00	1,487.74
Sale of Maintenance Service to City	308.23	2,000.00	346.28	4,000.00	(3,653.72)
Advertising Revenue-Bus	4,806.75	5,500.00	10,539.75	11,000.00	(460.25)
Sale of Scrap Materials			66.03		66.03
Interest Income	1,727.00	750.00	2,868.30	1,500.00	1,368.30
Photo Picture ID Revenue	30.00	25.00	66.00	50.00	16.00
Other Non-Transp. Revenue		25.00	360.02	66.00	294.02
Total Other Revenue	36,425.95	37,050.00	73,234.12	74,116.00	(881.88)
Total Operational Income	69,875.56	67,845.00	132,576.54	134,296.00	(1,719.46)
Operating Assistance					
City of Manchester	98,059.50	98,060.00	196,119.00	196,120.00	(1.00)
Town of Bedford	3,800.00	3,600.00	7,200.00	7,200.00	
State of New Hampshire		34,000.00		34,000.00	(34,000.00)
Federal Operating Subsidy	129,508.00	134,896.00	263,700.00	266,992.00	(3,292.00)
Total Operating Assistance	231,367.50	270,556.00	467,019.00	504,312.00	(37,293.00)
Total Revenue	301,243.06	338,401.00	599,595.54	638,608.00	(39,012.46)
Expenses					
Labor					
Transit Operator Wages	62,193.95	64,103.00	128,532.89	122,565.00	5,967.89
Transit Operator Overtime Wages	8,929.39	8,169.00	14,426.43	15,626.00	(1,199.57)
StepSaver Operator Wages	10,935.28	14,179.00	21,853.11	27,182.00	(5,328.89)
StepSaver Operator Overtime Wages	3,057.02	2,042.00	5,426.84	3,906.00	1,520.84
Mechanic Wages	14,313.92	13,110.00	25,854.11	25,080.00	774.11
Mechanic Overtime Wages	434.44		674.49		674.49
Transp. Admin Wages	11,411.48	10,168.00	21,673.77	19,452.00	2,221.77
Transp. Admin Overtime Wages	1,130.05	175.00	1,871.97	350.00	1,521.97
Maint. Admin Wages	3,055.64	4,006.00	5,684.40	7,663.00	(1,978.60)
Maint. Admin Overtime Wages			10.93		10.93
General Admin Wages	7,919.48	7,695.00	15,831.29	14,720.00	1,111.29
Gen. Admin Overtime Wages	57.52	113.00	100.67	226.00	(125.33)
Total Labor	123,438.17	123,760.00	241,940.90	236,770.00	5,170.90

Manchester Transit Authority
Income Statement Transit
For the Two Months Ending August 31, 2007

	Current	Budget	YTD	YTD Budget	YTD Net Change
Fringe Benefits					
Health Insurance Expense	\$47,892.72	\$53,140.00	\$96,598.07	\$109,880.00	(\$13,281.93)
Dental Insurance Expense	1,139.33	1,245.00	2,504.42	2,490.00	14.42
Life Insurance Expense	664.74	676.00	1,335.08	1,352.00	(16.92)
Pension Expense	6,784.00	6,656.00	12,384.00	13,312.00	(928.00)
FICA Expense	10,374.75	11,806.00	23,991.45	23,194.00	797.45
Worker's Compensation	4,637.00	4,811.00	9,378.27	9,473.00	(94.73)
Unemployment Compensation	366.00	366.00	732.00	732.00	
Transit Operator Vacation Wages	7,164.90	5,017.00	15,837.76	10,034.00	5,803.76
Transit Operator Holiday Wages	1,353.27	1,962.00	7,263.55	5,885.00	1,378.55
Transit Operator Sick Wages	3,776.34	3,923.00	4,765.58	7,846.00	(3,080.42)
Mechanic Vacation Wages	2,912.60	1,395.00	3,007.91	2,790.00	217.91
Mechanic Holiday Wages	469.91	1,224.00	2,069.44	2,448.00	(378.56)
Mechanic Sick Wages		94.00		188.00	(188.00)
Transp. Admin Vacation Wages	(396.73)	1,258.00	810.96	2,516.00	(1,705.04)
Transp. Admin Holiday Wages	593.90	1,382.00	2,068.26	2,764.00	(695.74)
Transp. Admin Sick Wages	566.48	674.00	566.48	1,348.00	(781.52)
Maint. Admin Vacation Wages	799.04	827.00	1,612.06	1,654.00	(41.94)
Maint. Admin Holiday Wages	266.00	563.00	1,029.95	1,126.00	(96.05)
Maint. Admin Sick Wages	3,727.03	99.00	7,264.06	198.00	7,066.06
Gen Admin. Vacation Wages	439.93	828.00	1,195.13	1,656.00	(460.87)
Gen. Admin Holiday Wages	397.00	843.00	1,371.62	1,686.00	(314.38)
Gen. Admin Sick Wages		149.00		298.00	(298.00)
Transit Uniform Allowance	89.90	779.00	592.17	1,558.00	(965.83)
Maintenance Uniform Allowance	500.75	448.00	821.35	1,963.00	(1,141.65)
Tool Allowance	200.00	100.00	692.00	200.00	492.00
License Reimbursement	10.00	42.00	10.00	84.00	(74.00)
Burden Adjustment	(9,547.16)	(15,049.00)	(20,181.39)	(30,098.00)	9,916.61
Total Fringe Benefits	85,181.70	85,258.00	177,720.18	176,577.00	1,143.18
Services					
Management Consultant	12,690.79	12,917.00	25,983.78	25,834.00	149.78
Commissioner Expense	40.74	83.00	42.98	166.00	(123.02)
Legal Expense		583.00	132.00	1,166.00	(1,034.00)
Service Bureau	166.09	630.00	224.34	1,260.00	(1,035.66)
Security Service		83.00	39.36	166.00	(126.64)
Outside Advertising	98.44	417.00	275.99	834.00	(558.01)
Drug & Alcohol Testing		583.00		1,166.00	(1,166.00)
Pre-Employment Medical		83.00		166.00	(166.00)
Janitorial Service and Supplies	544.55	667.00	624.59	1,334.00	(709.41)
Bank Service Charges	475.25	650.00	1,017.33	1,300.00	(282.67)
Total Services	14,015.86	16,696.00	28,340.37	33,392.00	(5,051.63)
Materials and Supplies					
Fuel Operations	24,151.09	22,029.00	45,675.34	42,485.00	3,190.34
Sale of Fuel to City Departments	29,213.23	28,125.00	58,010.71	56,250.00	1,760.71
Maintenance Parts	3,661.40	10,621.00	9,552.15	20,627.00	(11,074.85)
Purchase Discounts	(43.38)	(250.00)	(56.79)	(500.00)	443.21
Tires Expense	3,990.04	1,192.00	4,185.04	2,299.00	1,886.04
Oil and Grease	279.14	401.00	602.43	773.00	(170.57)
Maintenance Supplies	499.40	863.00	1,039.53	1,720.00	(680.47)
Body Shop Supplies	565.98	720.00	1,024.11	1,440.00	(415.89)
Hazardous Materials		90.00		180.00	(180.00)
Outside Parts and Labor	50.00	83.00	100.00	166.00	(66.00)
Repairs-Inner City Terminal		250.00		500.00	(500.00)

9

Manchester Transit Authority
Income Statement Transit
For the Two Months Ending August 31, 2007

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Repairs-Building and Grounds	\$247.50	\$883.00	\$2,088.45	\$1,770.00	\$318.45
Repairs-Shop Equipment	3.96	270.00	29.25	540.00	(510.75)
Repairs-Radio Equipment		42.00		84.00	(84.00)
Repairs-Office Equipment	343.46	367.00	657.65	734.00	(76.35)
Office Supplies	804.29	917.00	1,086.77	1,834.00	(747.23)
Transit Schedules and Tickets		1,250.00	2,635.00	2,500.00	135.00
Total Materials and Supplies	63,766.11	67,853.00	126,629.64	133,402.00	(6,772.36)
Utilities					
Electricity	1,625.58	1,988.00	3,165.18	3,976.00	(810.82)
Natural Gas	36.76	50.00	75.70	100.00	(24.30)
Telephone	634.17	663.00	1,254.87	1,326.00	(71.13)
Water	155.43	159.00	310.86	318.00	(7.14)
Total Utilities	2,451.94	2,860.00	4,806.61	5,720.00	(913.39)
Insurance					
Public Liability Insurance	11,361.00	11,969.00	22,718.00	23,938.00	(1,220.00)
Other Liability	885.00	1,204.00	1,777.64	2,408.00	(630.36)
Total Insurance	12,246.00	13,173.00	24,495.64	26,346.00	(1,850.36)
Other Expenses					
Dues and Memberships	41.98	83.00	41.98	166.00	(124.02)
Training and Meetings	85.35	250.00	632.19	500.00	132.19
Grievance Expense		38.00		76.00	(76.00)
Depreciation	36,000.00	36,000.00	72,000.00	72,000.00	
Total Other Expenses	36,127.33	36,371.00	72,674.17	72,742.00	(67.83)
Total Expenses	337,227.11	345,971.00	676,607.51	684,949.00	(8,341.49)
Net Income (Loss)	(35,984.05)	(7,570.00)	(77,011.97)	(46,341.00)	(30,670.97)

C



School

August 2007

Q

Manchester Transit Authority
Income Statement School
For the Two Months Ending August 31, 2007

	Current	Budget	YTD	YTD Budget	YTD Net Change
Student Transportation					
Pupil Contract	\$174,167.25	\$166,709.00	\$349,088.50	\$333,418.00	\$15,670.50
Manchester Skill Center	12,016.95	10,598.00	24,033.90	21,196.00	2,837.90
Special Needs	11,310.00	9,048.00	22,620.00	22,620.00	
Total Student Transportation	197,494.20	186,355.00	395,742.40	377,234.00	18,508.40
School Charter					
Student Athletics	2,119.60	2,000.00	2,119.60	3,500.00	(1,380.40)
Student Fieldtrips	5,294.20	6,000.00	8,858.75	9,500.00	(641.25)
Total School Charters	7,413.80	8,000.00	10,978.35	13,000.00	(2,021.65)
Other Revenue					
Sale of Vehicles and Equipment	4,000.00		4,000.00		4,000.00
Interest Income	403.02	100.00	992.83	200.00	792.83
Other Non-Transp. Revenue			763.00		763.00
Total Other Revenue	4,403.02	100.00	5,755.83	200.00	5,555.83
Total Operational Income	209,311.02	194,455.00	412,476.58	390,434.00	22,042.58
Expenses					
Labor					
School Operator Wages	23,155.14	22,928.00	32,207.91	29,497.00	2,710.91
School Operator Overtime Wages		782.00		1,003.00	(1,003.00)
Transit Operator Overtime Wages	71.91		71.91		71.91
Mechanic Wages	6,586.08	10,945.00	16,748.50	20,938.00	(4,189.50)
Transp. Admin Wages	6,732.52	8,005.00	14,200.24	15,314.00	(1,113.76)
Transp. Admin Overtime Wages	127.82	408.00	127.82	816.00	(688.18)
Maint. Admin Wages	2,673.57	3,725.00	4,042.31	7,126.00	(3,083.69)
General Admin Wages	3,448.93	4,334.00	6,461.79	8,291.00	(1,829.21)
Gen. Admin Overtime Wages		32.00		64.00	(64.00)
Total Labor	42,795.97	51,159.00	73,860.48	83,049.00	(9,188.52)
Fringe Benefits					
Health Insurance Expense	1,123.63		1,831.09		1,831.09
Dental Insurance Expense	(11.70)		401.70		401.70
FICA Expense	2,433.52	3,161.00	4,235.32	4,921.00	(685.68)
Worker's Compensation	3,159.00	951.00	6,314.84	1,253.00	5,061.84
School Operator Holiday Wages	69.48		457.83		457.83
School Uniform Allowance	197.98	547.00	327.98	1,094.00	(766.02)
Tool Allowance			408.00		408.00
License Reimbursement	240.00	250.00	320.00	500.00	(180.00)
Burden Adjustment	9,547.16	15,049.00	20,181.39	30,098.00	(9,916.61)
Total Fringe Benefits	16,759.07	19,958.00	34,478.15	37,866.00	(3,387.85)
Services					
Management Consultant	12,690.79	12,917.00	25,983.79	25,834.00	149.79
Commissioner Expense	40.73	83.00	42.97	166.00	(123.03)
Legal Expense		583.00	198.00	1,166.00	(968.00)
Service Bureau	176.09	1,045.00	295.34	2,090.00	(1,794.66)
Security Service		125.00	59.04	250.00	(190.96)
Outside Advertising	54.36	833.00	128.97	1,666.00	(1,537.03)

Manchester Transit Authority
Income Statement School
For the Two Months Ending August 31, 2007

	Current	Budget	YTD	YTD Budget	YTD Net Change
Driver and Criminal Record	\$546.00		\$702.00		\$702.00
Drug & Alcohol Testing		667.00		1,334.00	(1,334.00)
Pre-Employment Medical		250.00		500.00	(500.00)
Janitorial Service and Supplies	544.55	667.00	624.59	1,334.00	(709.41)
Total Services	14,052.52	17,170.00	28,034.70	34,340.00	(6,305.30)
Materials and Supplies					
Fuel Operations	3,968.11	4,190.00	5,088.48	6,360.00	(1,271.52)
Maintenance Parts	4,414.65	1,159.00	7,495.97	3,759.00	3,736.97
Tires Expense	2,419.01	326.00	4,162.29	495.00	3,667.29
Oil and Grease	70.50	65.00	447.48	99.00	348.48
Maintenance Supplies	612.99	720.00	1,999.39	1,440.00	559.39
Body Shop Supplies	448.61	613.00	874.39	1,226.00	(351.61)
Hazardous Materials		77.00		154.00	(154.00)
Outside Parts and Labor		83.00		166.00	(166.00)
Repairs-Building and Grounds	247.50	783.00	1,735.28	1,566.00	169.28
Repairs-Shop Equipment	3.38	230.00	24.93	460.00	(435.07)
Repairs-Radio Equipment		42.00		84.00	(84.00)
Repairs-Office Equipment	281.02	300.00	538.10	600.00	(61.90)
Office Supplies	674.91	750.00	869.65	1,500.00	(630.35)
School Schedules and Tickets		167.00		334.00	(334.00)
Total Materials and Supplies	13,140.68	9,505.00	23,235.96	18,243.00	4,992.96
Utilities					
Electricity	1,330.02	1,763.00	2,589.71	3,526.00	(936.29)
Natural Gas	32.60	50.00	67.15	100.00	(32.85)
Telephone	518.87	588.00	1,026.74	1,176.00	(149.26)
Water	127.17	141.00	254.34	282.00	(27.66)
Total Utilities	2,008.66	2,542.00	3,937.94	5,084.00	(1,146.06)
Insurance					
Public Liability Insurance	14,335.00	15,949.00	28,661.00	31,896.00	(3,235.00)
Other Liability	741.00	1,009.00	1,480.98	2,018.00	(537.02)
Total Insurance	15,076.00	16,958.00	30,141.98	33,914.00	(3,772.02)
Other Expenses					
Dues and Memberships	62.97	292.00	87.97	584.00	(496.03)
Training and Meetings	630.46	417.00	1,465.33	834.00	631.33
Grievance Expense		38.00		76.00	(76.00)
Depreciation	21,000.00	21,000.00	42,000.00	42,000.00	
Total Other Expenses	21,693.43	21,747.00	43,553.30	43,494.00	59.30
Total Expenses	125,526.33	139,039.00	237,242.51	255,990.00	(18,747.49)
Net Income (Loss)	83,784.69	55,416.00	175,234.07	134,444.00	40,790.07

Commissioners Memorandum

To: Commissioners
 From: John Huber, Operations Planning Manager
 Date: September 20, 2007
 Re: Transit Ridership Report – August 2007



August

FYTD

Routes

	Weekdays	FY 2007	FY 2008	% Change		FY 2007	FY 2008	% Change
	Saturdays	23	23					
	4	4						
Bridge St-Dartmouth Route #1			1,524			2,803		
Hanover-Massabesic Route #2			2,924			5,390		
Brown Ave-Airport Route #3			2,811			5,137		
Elliot-Industrial Park Route #4			2,352			4,441		
River Rd-SNHU Route #5			1,338			2,496		
Bremer-Mast Rd Route #6			3,101			5,691		
VA Hospital Route #7			1,456			2,658		
So. Willow Route #8			4,350			7,949		
DW Highway Route #9			912			1,758		
Valley-Weston Rd. Route #10			3,545			6,607		
Front St. Route #11			1,928			3,725		
So. Beech Route #12			3,297			6,377		
Bedford Highlands Route #13			4,966			9,485		
UPass Riders - NHCTC		0	427	100.00%		167	734	339.52%
Vista Shuttle		352	270	-23.30%		540	450	-16.67%
Hannaford Shuttle		539	452	-16.14%		1,109	792	-28.58%
Stop & Shop Shuttle		218	138	-36.70%		414	196	-52.66%
Weekday Fixed Route Totals		36,001	35,835	-0.46%		66,853	66,733	-0.18%
Saturday Fixed Route Totals		3,695	3,192	-13.61%		8,332	6,354	-23.74%
MTA Specials & Excursions		0	44	100.00%		77	101	31.17%
Fixed Route Weekday Average		1,565	1,558	-0.46%		2,907	1,515	-47.89%
Total Transit Passengers Served		39,696	39,071	-1.57%		75,262	73,188	-2.76%
Total StepSaver Passengers Served		714	1,052	47.34%		1519	2,031	33.71%

The attached graph shows system-wide ridership trends.

John Huber

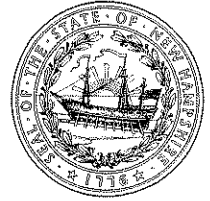
Operations Planning Manager

Routes

9



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

October 8, 2007

Board of Aldermen
City Hall
One City Hall Plaza
Manchester, NH 03101

Subject: DES Seminars for Local Officials Representing Communities with Stressed Wastewater Treatment Plants.

Dear Board of Aldermen:

The New Hampshire Department of Environmental Services is hosting three short evening seminars for local officials across New Hampshire. The seminars will be specifically designed for small communities that have exceeded 70% of their wastewater treatment plant capacity due to growth, and communities where the USEPA has proposed or adopted a more stringent wastewater discharge ("NPDES") permit for their wastewater treatment plants. These seminars are designed to help you prepare to address significant emerging wastewater treatment and federal permitting challenges, discussed briefly below, that your community may be facing now or will face in the near future. An agenda is attached for your information.

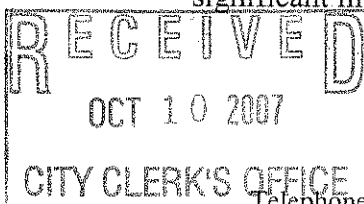
Seminar Locations and Dates: The seminars will be held from 6:00 pm to 8:30 pm at the following locations on the listed dates:

- Littleton, NH, Community Center, Heald Room, November 5, 2007
- Concord, NH, DES Auditorium, November 8, 2007
- Keene, NH, City Hall Council Chambers, November 14, 2007

Who should attend? Selectmen, water and sewer commissioners, wastewater treatment facility operators or other local officials from communities with wastewater treatment facilities expected to need upgrades due to capacity or permitting considerations.

How to register: Please contact Susan Willoughby by phone at (603) 271-3307 or e-mail at swilloughby@des.state.nh.us. There is no charge to attend.

Why attend this seminar? The seminar will provide you with a better understanding of the issues and options if your community has, or expects to have, the need to make significant investment in their wastewater treatment facility within the next one to ten



DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964

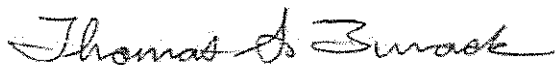
years. Specifically, we recommend attendance if your wastewater treatment facility has, or is expected to have, one or more of the following issues:

- **A federal NPDES permit issued by the U. S. Environmental Protection Agency (USEPA) that is more stringent than your previous or existing permit.** Treatment plant performance standards contained in renewed municipal permits issued by the U.S. Environmental Protection Agency are becoming substantially more stringent than previous permits due to new standards or water quality problems such as listing on the state "impaired waters" list.
- **Capacity problems caused by population growth.** Many municipal wastewater treatment facilities are approaching design capacities for hydraulic and organic loadings due to population growth. This seminar should be a high priority if your wastewater treatment facility is approaching or has already exceeded 70% of capacity.
- **Aging wastewater treatment facilities.** Most New Hampshire municipal wastewater treatment facilities that were built in the 1970s or 1980s are nearing the end of their useful lives and will require replacement or rehabilitation of major components in the near future.

Please call us if you require assistance in determining whether these issues now apply to your municipal wastewater treatment facility or are likely to apply in the near future.

Finally, please note that DES is also planning a full day seminar in December 2007, to expand upon the information provided in the two-hour seminars. DES will provide more detailed information for environmental professionals at that seminar. The date and agenda for the expanded program will be announced soon.

Sincerely yours,



Thomas S. Burack,
Commissioner

Enclosure: Seminar Agenda

cc: Susan Willoughby, DES

D

**NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES
SEMINAR FOR LOCAL OFFICIALS FOR COMMUNITIES WITH
STRESSED WASTEWATER TREATMENT PLANTS**

- 5:30-6:00 pm Registration**
- 6:00 pm Welcome**
- 6:05 pm How to evaluate the status of your system: Questions to ask concerning plant capacity, NPDES permit (current and expected) requirements, facility age, compliance history and other considerations.**
- 6:25 pm How and when do Federal NPDES permit limits and other requirements for municipal wastewater treatment plants change?**
- The USEPA NPDES permit cycle.
 - EPA trends in permit limits and other requirements that could affect your community.
 - What can you expect over the next 10 years?
- 6:45 pm Potential water quality impacts of wastewater discharges on New Hampshire rivers that cause permits to change.**
- What are the specific contaminants discharged by municipal wastewater treatment plants that frequently impair surface waters?
 - When is a river affected or impaired by contaminants that may come from a wastewater discharge?
- 7:05 pm When and how are water quality studies performed to assess wastewater treatment plant impacts on rivers?**
- NHDES water quality studies for impaired waters.
 - USEPA analyses of water quality during NPDES permit renewal.
 - When does river water quality cause an NPDES permit to become more stringent?
 - Possible water quality evaluations by permit holders.
- 7:25 When improvements are needed: Planning and implementing wastewater treatment plant improvements driven by NPDES permit requirements and other considerations.**
- Planning and design procedures and issues
 - Other "emerging" considerations: energy efficiency, alternative energy sources, "green" buildings, and climate change.
- 7:55 Funding Wastewater Treatment Plant Improvements:**
- Grants and loans available from DES
 - Other possible funding sources
- 8:15 Questions and answers**
- 8:30 Adjourn**
- D

City of Manchester New Hampshire

In the year Two Thousand and **Seven**

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Police.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Overtime Salary	Account 3301C10130	\$100,000
-----------------	--------------------	-----------

Resolved, that this Resolution shall take effect upon its passage.

1

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety, Health & Traffic respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

Section 70.36 Stopping, Standing, or Parking Prohibited

Accessible Parking Space:

On Wheelock Street, west side, from a point 20 feet south of W. Hancock Street to a point 20 feet south

Stop Signs – 3 Way:

On Beech Hill Ave., at Beech Hill Drive, SWC, NEC

Stop Sign – 4-Way:

On West Mitchell Street at Brown Ave., SEC

Stop Sign:

On Livingston Park Driveway at Beech Street – NEC

2-Hour Parking (8AM – 6 PM):

On Temple Court, east side, from Harrison Street to a point 100 feet northerly

No Parking Anytime:

On Villa Street, south side, from a point 72 feet east of Belmont Street to a point 45 feet east

On Calef Road, west side, from Wyoming Avenue to a point 150 feet north

On Ash Street, west side, from a point 103 feet south of Orange Street to a point 44 feet southerly

No Parking During School Hours:

On Joshua Drive, north side, from Hoyt Street to a point 140 feet westerly
On Joshua Drive, north side, from a point 205 feet west of Hoyt Street to Roysan Street
On Rockwell Street, east side, from Purdue Street to Tilden Drive

Rescind No Parking During School Hours:

On Joshua Drive, north side, from Hoyt Street to Roysan Drive (Ord. 9103)

Rescind Crosswalks:

On South Mammoth Road, south of Aurore Ave.(Ord. 2040)
On South Jewett Street, north of Vinton Street (Ord. 1982)

Crosswalks:

On Vinton Street, west of South Jewett Street
On Candia Road, west of Talbot Street
On Talbot Street, south of Candia Road
On South Mammoth Road, south of Jack Lovering Drive
On Webster Street, east of Tory Road
On Beech Hill Avenue, east of Beech Hill Drive
On Beech Hill Drive, south of Beech Hill Avenue
On Wilson Street, north of Grove Street

Rescind No Parking Anytime:

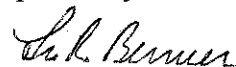
On Jackson Street, north side, from a point 90 feet east of Mast Road to a point 65 feet east (Ord. 8984)

REPEALING PROVISIONS

That all rules and regulations now in effect in accordance with the provisions of an Ordinance "Chapter 70 Motor Vehicles and Traffic" as adopted august 6, 2002, with subsequent amendments thereto and inconsistent with the traffic rules and regulations herein adopted be repealed.

(Unanimous vote with the exception of Alderman O'Neil who was opposed to all Stop Signs.)

Respectfully submitted,



Clerk of Committee





City of Manchester

Office of the Mayor
Hon. Frank C. Guinta

October 2, 2007

The Honorable Board of Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Nominations

Dear Members of the Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1) Calvin Cramer to succeed himself as a member of the Police Commission, term to expire September 15, 2010; *10-2-07 Confirmed*
- (2) Jay Cadorette to succeed himself as a member of the Conduct Board, term to expire October 1, 2010; *10-2-07 Confirmed*
- (3) Richard Danaïs to succeed Andre Martel (term limit) as a member of the Board of Recount, term to expire October 1, 2009;
- (4) Arthur J. Beaudry to succeed Peter McDonough (term limit) as a member of the Board of Recount, term to expire October 1, 2009

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated.

Pursuant to Section 5.25 of the City Charter, I am also appointing Alderman William P. Shea to succeed himself as the aldermanic member of the Board of Recount, term to expire October 1, 2009.

Sincerely,

Frank C. Guinta
Mayor

7



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk


Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Memo To: Board of Mayor and Aldermen

From: 
Leo R. Bernier
City Clerk

Date: October 4, 2007

Re: Scheduling of 1st meeting in November 2007

As the Board is aware an election will be held on Tuesday, November 6th, the regularly scheduled date for the Board to meet. It is suggested the Board set Wednesday, November 7th as the alternate date for the public participation and regular meetings of the Board.

The ZBA has moved their tentative schedule to accommodate the Board's needs. The Planning Board will be meeting in the Chambers on Thursday of that week.

In November the Board will also meet on Tuesday, November 20th.

12



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

October 5, 2007

The Honorable Board of Mayor
and Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Honorable Board Members:

RSA 659:4 requires that the Board of Mayor and Aldermen "determine the polling hours no later than 30 days prior" to the election.

I would like to respectfully request that the Board set the polling hours for the Presidential Primary, which the date has yet to be scheduled to begin at 6:00 AM and end at 7:00 PM so that we may post the Notice to Voters that we received from the Secretary of State's Office.

Your favorable consideration of this request is greatly appreciated.

Sincerely,

Leo R. Bernier
City Clerk

13



MANCHESTER WATER WORKS

281 LINCOLN ST., MANCHESTER, NEW HAMPSHIRE 03103-5093 Tel. (603) 624-6494

BOARD OF WATER COMMISSIONERS

C. ARTHUR SOUCY
President

PATRICIA H. CORNELL
Clerk

RICHARD M. BUNKER
LOUIS C. D'ALLESANDRO
DYLAN R. CRUESS
WILLIAM A. BEATON

Ex Officio
HON. FRANK C. GUINTA
Mayor

THOMAS M. BOWEN, P.E.
Director and Chief Engineer

ROBERT BEAURIVAGE, P.E.
Asst. Director

October 9, 2007

Mayor Frank Guinta
One City Hall Plaza
Manchester NH 03101

Dear Mayor Guinta:

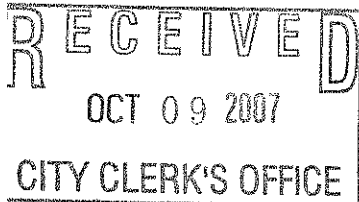
The non-affiliated group has prepared this letter for your consideration. The non-affiliated group is requesting this request be included in the Board agenda of October 16, 2007 for consideration by the full Board of Mayor and Aldermen. All of the items requested have been negotiated by other bargaining units.

- Provide the same COLA's the Police, Fire and Library bargaining units have recently negotiated (1% on BMA approval, 2% on July 1, 2008 and 3% on July 1, 2009).
- We would like a change in the Personal Leave benefit, similar to the *benefit available to AFSCME – Health and Steelworkers*. "Employees who use one (1) day or less of sick leave will be granted one (1) additional incentive day off, for a total of three (3) incentive days, during the calendar year after they are earned." We estimate there would be an approximate 4.0% to 5.0% annual utilization of this benefit.
- Vacation Buy Back option Effective January 1, 2009 – Non-affiliated employees would be eligible to be paid for vacation time earned, rather than take the time off. Employees would only be eligible if they used six (6) or less sick days in the previous calendar year, starting January 1, 2008 to December 31, 2008. An employee could be paid for up to five (5) vacation days in full day increments only. We estimate there would be an approximate 4.0% to 5.0% annual utilization of this benefit. *This is a benefit currently available to Steelworkers, Fire Fighters and Fire Supervisors.*

Thank you for your time and consideration.

Sincerely

Freda Hawkinson, Manchester Water Works
Spokesperson for the Non-Affiliated employees



15



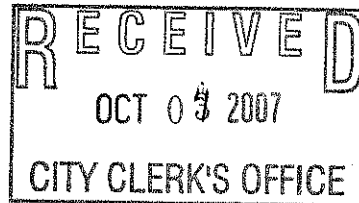
**City Of Manchester
Department of Highways
Environmental Protection Division**

300 Winston Street
Manchester, New Hampshire 03103-6826
(603) 624-6595 Fax (603) 628-6234

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

October 4, 2007



The Honorable Board of Mayor and Aldermen
One City Hall Plaza
Manchester, New Hampshire 03101

RE: Warrant for Sewer Charges Levy 2007
Period #2

Dear Board Members:

Please be advised that the warrant for Sewer Charges encompassing all delinquent sewer rental charges from 5/11/07 to 8/16/07 in accordance with RSA:9 and 252:10, that are to be committed to the Collector of Taxes will be included on the agenda for the October 16, 2007 meeting of the Board of Mayor and Aldermen. A clerk will submit the amount of said warrant at the time of the meeting.

Sincerely,

June George
Business Service Officer

/JG

16

City of Manchester New Hampshire

In the year Two Thousand and Seven

A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Four Hundred Seventy Five Thousand Dollars (\$2,475,000) for the City of Manchester's portion of the costs for renovating the Manchester School of Technology."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate amount of Two Million Four Hundred Seventy Five Thousand Dollars (\$2,475,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing the City of Manchester's portion of the costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
Renovation of the Manchester School of Technology	\$2,475,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

This Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Seven

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of One Hundred Thousand Dollars (\$100,000) from Contingency to Police.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Overtime Salary	Account 3301C10130	\$100,000
-----------------	--------------------	-----------

Resolved, that this Resolution shall take effect upon its passage.

18

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

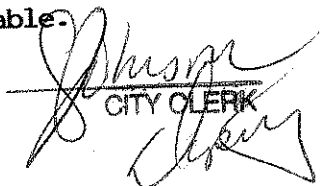
IN BOARD OF MAYOR & ALDERMEN

DATE: September 5, 2006

ON MOTION OF ALD. Garrity

SECONDED BY ALD. Smith

VOTED TO table.


CITY CLERK

Respectfully submitted,



Clerk of Committee

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. "Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (General Industrial/Industrial Park) located on Gold Street including Tax Map 875, Lots 14, 15, and 16, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Gold Street and John E. Devine Drive extended, said point being on the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, approximately 965 ft. to a point;

Thence, southerly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 570 ft. to a point;

Thence, southwesterly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 1,075 ft. to a point;

Thence, northwesterly generally along the centerline of the former Lawrence Branch of the Boston and Maine Railroad, a distance of approximately 1,090 ft. to a point, said point being the zone boundary line of the R-1B (Residential One-Family) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the new zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, after this amendment, a distance of approximately 515 ft. to a point, said point also being the point of beginning.

Said description to include TM 875, Lot 14, Lot 15, and Lot 16 consisting of approximately 19.43 acres of private land, to be rezoned from IND (General Industrial/Industrial Park) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

DEVINE
MILLIMET

ATTORNEYS AT LAW

By Hand Delivery

SUSAN V. DUPREY
603.695.8505
SDUPREY@DEVINEMILLIMET.COM

June 19, 2006

Office of the City Clerk
One City Hall
Manchester, NH 03101-2097

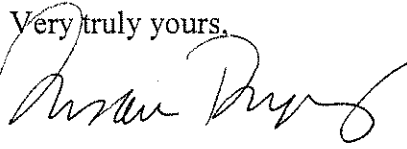
RE: GFI Gold Street, LLC - Petition for Rezoning

Dear Sir or Madam:

Enclosed please find a Petition for rezoning parcels Map 875, Lot 15 and Map 875, Lot 16. Also enclosed is our check in the amount \$300.00. Our office represents GFI, which requests this rezoning.

Please feel free to contact me should you have any questions regarding this matter or if additional information is required. Thank you.

Very truly yours,


Susan V. Duprey

SVD:ml

Enclosures

J:\WDOX\DOCS\CLIENTS\16717\76570\M0875840.DOC

July 11, 2006.
In Board of Mayor and Aldermen.

On motion of Alderman Garrity, duly seconded by Alderman Forest, it was voted to refer the petition for rezoning to a Public Hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall and further to authorize execution of agreements enclosed subject to the review and approval of the City Solicitor.


City Clerk

**STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER**

GFI GOLD STREET, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, GFI Gold Street, LLC, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to change the zone of and amend the Zoning Map regarding 2 parcels of land, one of which is located at 725 Gold Street and the other of which is near Gold Street, County of Hillsborough, City of Manchester and identified as Map 875 Lot 15 and Map 875 Lot 16 in the tax records for the City of Manchester. In support thereof, Petitioner states as follows:

1. GFI Gold Street, LLC is the owner of record of that parcel of land located at 725 Street and identified as Map 875 Lot 15 in the tax records of the City of Manchester (Property 1). Property 1 is approximately 15.178 acres in size and was formerly the site of Associated Grocers which has since relocated. Property 1 is currently zoned Industrial.

2. Ashkars Children's Limited Liability Company and John N. Ashkars own a parcel near Gold Street which has no building situate on it and abuts Property 1 which land is identified as Map 875 Lot 16 in the tax records of the City of Manchester ("Property 2"). Property 2 is approximately 36,864 square feet in size and is also zoned Industrial. Property 2 is subject to a purchase agreement in favor of GFI Gold Street, LLC.

3. The Petitioner, GFI Gold Street, LLC, for itself as owner of Property 1 and as agent for the owners of Property 2, seeks to change the zoning classification of Property 1 and Property 2 from Industrial to B-2 in order to locate a retailer on Property 1 and Property 2.

4. A copy of the tax map showing Property 1 and Property 2 as situated in the Industrial Zone and the zoning designations for the surrounding properties is attached is Exhibit A.

5. It is believed that the change of zone will have little impact on the surrounding area in that much of the surrounding area was either zoned B-2, has been rezoned from

Industrial to B-2 or variances have been granted to allow uses permitted in the B-2 zone.

Changing the zone to B-2 will reduce heavy truck traffic in the area as Property 1 is now used as a 24 hour per day trucking terminal. Plans are being prepared to help address and to generally improve conditions on Gold Street.

6. This proposed change will have a substantial positive tax revenue impact for the City of Manchester and will have no effect on the environment as Property 1 is already developed for an industrial use. There will be no impact on municipal services or facilities.

7. The names, addresses, tax map numbers and lot numbers of all abutting property owners and all properties on the opposite side of the street from Property 1 and Property 2 are attached as Exhibit B.

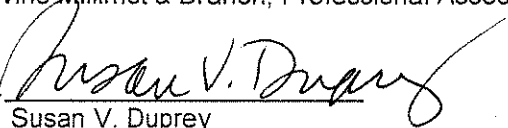
8. A metes and bounds description of Property 1 and Property 2 is attached as Exhibit C.

9. The Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the zone for Property 1 and Property 2 from Industrial to B-2 and to amend the Zoning Map to reflect this change.

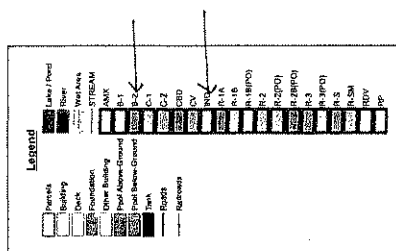
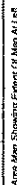
Respectfully submitted,

GFI Gold Street, LLC
By its Attorneys,
Devine Millimet & Branch, Professional Association

By

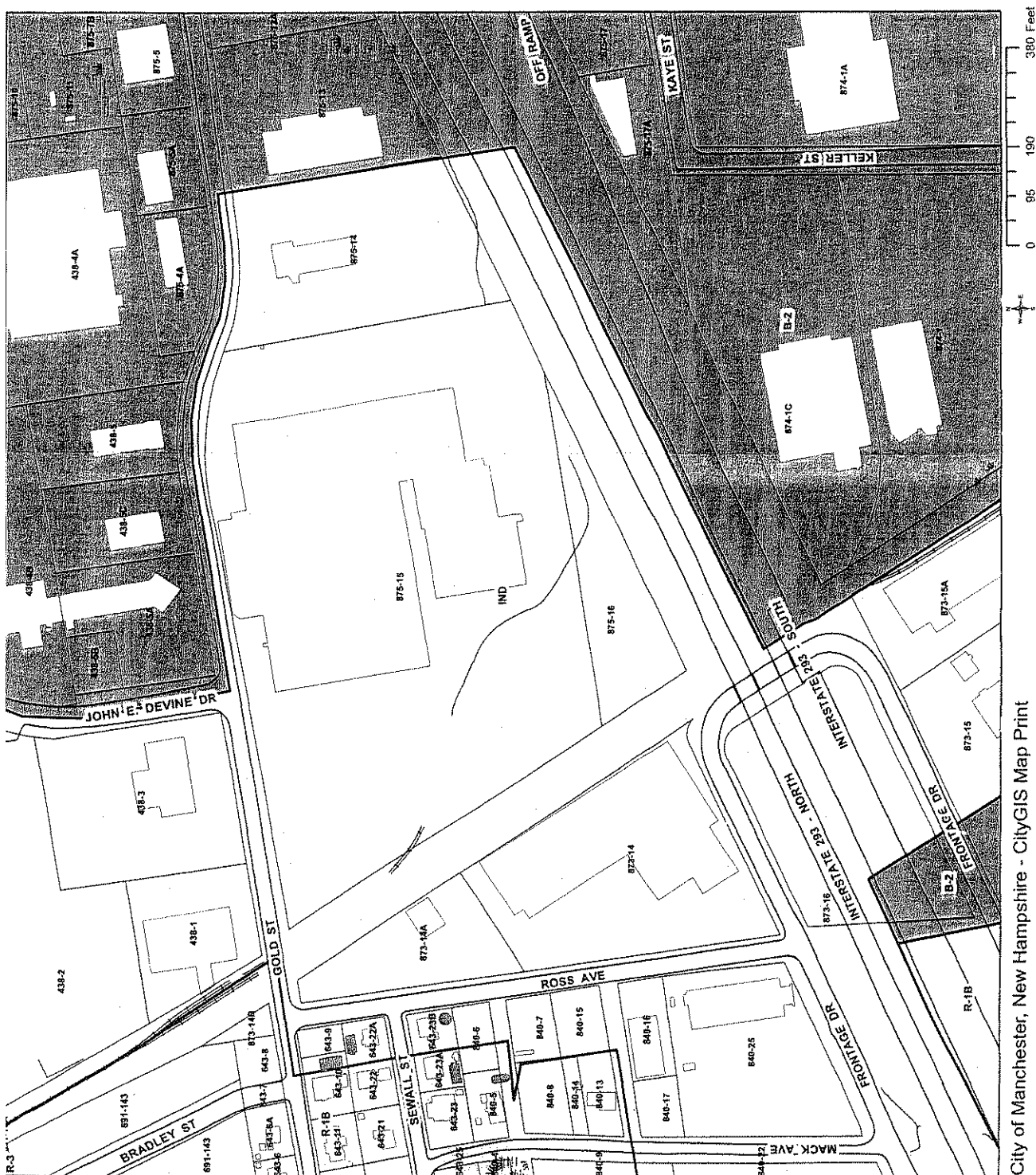

Susan V. Duprey
111 Amherst Street
Manchester, NH 03101
(603) 695-8505

Dated: June 19, 2006



DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official record of the City of Minneapolis. The user assumes all responsibility for the accuracy of the information shown on this map. The City does not warrant, represent or guarantee the accuracy of the information shown on this map. The City makes no warranties, expressed or implied, concerning the completeness, reliability, or suitability of this information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The public records from which this information was compiled are kept in the City of Minnesota County, _____, at _____, Minnesota. This information is provided for informational and copying during normal business hours. By using this information, you agree to these terms and conditions.



City of Manchester, New Hampshire - CityGIS Map Print

Exhibit C

Legal Description for Lot 875-15, located at 725 Gold Street, Manchester:

A certain tract or parcel of land with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, being Lot 875-15 on Plan # _____, entitled "ALTA/ACSM Land Title Survey, 725 Gold Street in Manchester, New Hampshire (Hillsborough County), dated December 22, 2005, prepared by BSC Group, more particularly bounded and described as follows:

Beginning at a point on the northeasterly corner of the Lot on the southerly line of Gold Street; thence

1. South $9^{\circ} 17' 43''$ East, a distance of 80.15 feet to a concrete bound found; thence
2. South $09^{\circ} 76' 53''$ East, a distance of 488.15 feet by the westerly side of Lot 875-14; to an iron pipe at the southeasterly corner of the lot; thence
3. South $64^{\circ} 53' 52''$ West, a distance of 310.73 feet by the northerly line of the Interstate Highway 293 to an iron pipe; thence
4. South $82^{\circ} 28' 33''$ West, a distance of 517.33 feet by the northerly line of Lot 875-16 to an iron pipe at the southeasterly corner of the premises; thence
5. North $32^{\circ} 51' 25''$ West, a distance of 21.90 feet to an iron pipe; thence
6. North $08^{\circ} 01' 16''$ West, a distance of 19.62 feet to an iron pipe; thence
7. North $32^{\circ} 51' 25''$ West, a distance of 714.62 feet by the easterly side of the rail road tracks to an iron pipe at the northwest corner of the premises on the southerly line of Gold Street; thence
8. North $80^{\circ} 33' 28''$ East, a distance of 305.63 feet by the southerly line of Gold Street to an iron pipe; thence
9. North $80^{\circ} 16' 28''$ East, a distance of 586.18 feet by the southerly line of Gold Street to an iron pipe; thence
10. Curving in a southeasterly direction with a radius of 399.80 feet, along the southerly line of Gold Street, a distance of 230.44 feet to the point of beginning.

Containing 15.178 Acres, more or less.

Legal Description for Lot 875-16, located on Gold Street, Manchester:

A certain Tract or parcel of land, situated in Manchester, bounded and described as follows:

Beginning at a point on the southwest corner of the premises north of the Interstate Highway 293, thence

1. North $32^{\circ} 51' 25''$ West along said Manchester-Lawrence Railroad for a distance of 157.68 feet, more or less to an iron post set at land of Associated Grocers; thence
2. South $82^{\circ} 28'$ East for a distance of 517.33 feet, more or less to the interstate Highway 293; thence
3. South $64^{\circ} 53' 52''$ West for a distance of 471.90, along said Interstate Highway 293 to the point of beginning.

J:\wdox\docs\clients\16717\76570\M0869436.DOC

RECEIVED
MANCHESTER CITY CLERK

Ashkar Children's Trust Limited Liability Company
Mrs. Georgette Ashkar, Managing Member
8160 East Quincy Avenue
Cherry Hills Village, CO 80111
(303) 796-8128

Mr. John Ashkar
29 Fairmount Drive
Danbury, CT 06811
(203) 792-4963
JUN 20 12:21

June 19, 2006

The Board of Mayor and Aldermen
of the City of Manchester
One City Hall
Manchester, NH 03101-2097

Re: Authorization to Pursue Rezoning

To Whom It May Concern:

We, the undersigned, being the owners of the real property sometimes referred to as Map 875, Lot 16, located near Gold Street in Manchester, New Hampshire, hereby grant our authority to GFI Gold Street, LLC, to take any and all actions required or deemed necessary to re-zone the property from "Industrial" to "B 2".

Thank you for your attention to this matter, and if you have any questions please contact our counsel, Susan Perkins of Perkins Ruschena, LLC, at (303) 779-8100.

Sincerely,

Ashkar Children's Trust Limited Liability
Company


By: Georgette Ashkar, Managing Member


By: John Ashkar



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Milliard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Gold Street*

Dear Mr. Bernier:


In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by the owner of one property and agent for a second property on Gold Street (including two lots: Lot 875-15 and 875-16). The subject parcels are located on the south side of Gold Street east of the former Lawrence Rail Branch. The first property is 15.2 acres currently containing the Associated Grocers Building and the second is .85 acres in size that is vacant. The subject properties are currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to General Business (*B-2*).

Presently, while the parcels are adjacent to a B-2 on one side, the rezoning action would create one parcel that would be zoned IND and surrounded by B-2. As this could be considered spot zoning, we would recommend that the parcel at 835 Gold Street (Lot 875-14; 3.42 acres) also be considered by the Board for rezoning from IND to B-2. In the 1993 Master Plan for the City of Manchester, this area was identified as Industrial land use although the plan also recognized that extension of the business zone into areas of industrial zone was likely and that certain precautions should be taken. The key precaution from the Master Plan as it relates to this rezoning request states "...the proposed district should be evaluated to insure that possible projects will not encourage additional traffic impacts upon residential areas..." The applicants, working with the City, have devised a traffic calming plan to mitigate impacts on Gold Street and Sewall Street which may be considered by the Board of Mayor and Aldermen.

From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

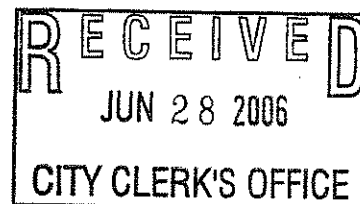
I will be available for any questions that the Board may have.

Sincerely,



Robert S. MacKenzie, AICP
Planning Director

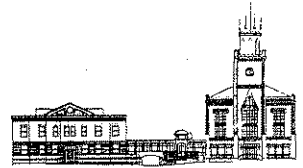
C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Gold Street

Honorable Board Members:

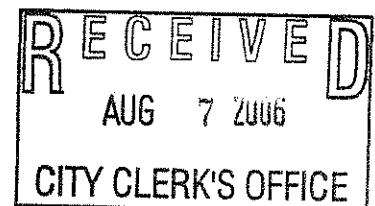
This to recommend the extension of the B-2 Zoning District to encompass the former Associated Grocer's Site, 725 Gold Street and an adjacent parcel. The proposed redevelopment of the Associated Grocers site into a new Home Depot store is projected to cost over \$21,000,000 and generate \$193,000 in new property tax revenue to the City annually. In addition the project will allow Home Depot to expand in the City of Manchester, rather than relocating out-of-town. The existing space leased by Home Depot is in great demand by quality national retailers and will be redeveloped in short order.

In addition GFI/Home Depot development venture is contributing \$4,000,000 to the Gold Street Improvement Project. This project will widen and/or bypass narrow portions of Gold Street and improve and signalize neighborhood street intersections resulting in improved traffic flow, increased safety, curbside visitor parking, sidewalks and landscaping. This improvement to Gold Street will enable the City to entertain additional retail zoning requests near the Associated Grocer/Home Depot site which could generate significant additional investment and new property tax revenue while reducing industrial traffic truck traffic in the area. Based on acreage and lot coverage projections, the City could realize as much as \$184,000 in additional new property tax revenue from future adjacent retail development. In addition, the City could negotiate to recover a portion of the City's Gold Street improvement costs from future developers.

The Gold Street site is adjacent to the growing and successful South Willow Street retail district in close proximity to residential neighborhoods. Industrial truck traffic is incompatible with consumer and neighborhood traffic automobile. In my recommendation that the highest and best use of this site is retail, not industrial.

Sincerely,

Paul J. Borek
Economic Development Director



To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

IN BOARD OF MAYOR & ALDERMEN

DATE: September 5, 2006

ON MOTION OF ALD. Garrity

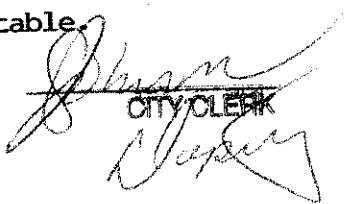
SECONDED BY ALD. Smith

VOTED TO table.

Respectfully submitted,



Clerk of Committee


CITY CLERK

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery and being more particularly bounded and described as follows:

Beginning at a point at the centerline of Bradley Street at a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1), said point being on the zone boundary line of the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment;

Thence, westerly across the Right of Way of Bradley Street and continuing along the northerly boundary of said property of the Diocese of Manchester TM 691-143-1, said line also being the zone boundary line between the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment, approximately 1206 ft. to a point;

Said point being the end of the northerly boundary of the Diocese of Manchester TM 691-143-1, and at the intersection with the following properties: TM 691-143, TM 691-135, TM 691-136 and TM 691-15A;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 285.94 ft. to a point;

Thence, easterly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 295.71 ft. to a point;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of approximately 130 ft. to a point, said point being on the edge of the proposed Right of Way of the Gold Street Bypass;

Thence, easterly across the Right of Way of the Gold Street Bypass to the centerline of said Bypass a distance of approximately 30 feet to a point;

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Thence, northeasterly and easterly along the centerline of the Right of Way of the Gold Street Bypass as extended to the centerline of Bradley Street a distance of approximately 1,017 feet to a point;

Thence northerly along the centerline of Bradley Street to a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (TM 691-143-1) a distance of approximately 324 feet to a point, said point also being the point of beginning.

Said description meaning to include a portion of property of the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1) consisting of approximately 8.1 acres of private land, to be rezoned from the R-1B (Single-family) zoning district to the R-3 (Urban Multi-family) zoning district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

July 20, 2006

Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Rezoning of Diocese Property behind Gold Street

Honorable Board Members:

This is to submit a request for rezoning for a portion of the Diocese Property adjacent to the proposed Gold Street Bypass from a single-family district (R-1B) to a multi-family district (R-3). The agreement that the Board recently acted upon called upon the City to initiate this rezoning. The Diocese has offered to donate the land necessary to create the new Gold Street Bypass as part of an overall plan to mitigate traffic in the area.

As this rezoning and the subsequent dedication of street area is necessary to complete the traffic improvements, it may be appropriate for the Board to time the final action on the rezoning of the Associated Grocers site with the rezoning of the Diocese property to insure that the creation of the Bypass is feasible.

From a technical standpoint, the Diocese rezoning is an extension of an existing multi-family zoning district and there are no other specific issues to preclude the rezoning to proceed to public hearing.

If you have any questions, I will be available at your next meeting.

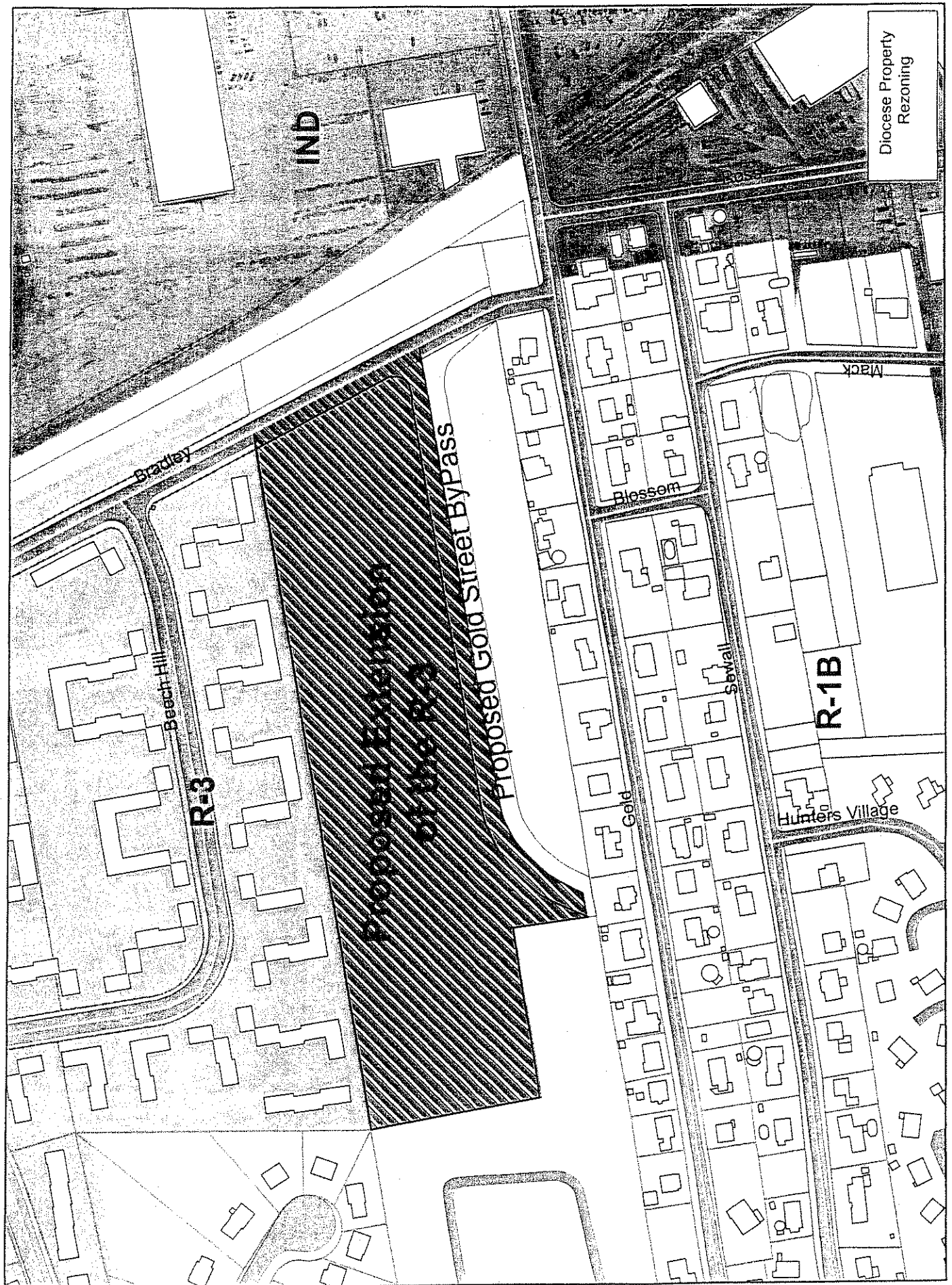
Sincerely,

Robert S. MacKenzie, AICP
Director of Planning & Community Development

C: Planning Board
Building Department
Brad Cook
Tom Arnold
Paul Borek

20

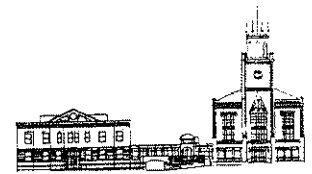
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Diocese Property Behind Gold Street

Honorable Board Members:

This is to recommend that the R-3 Zoning be extended south to encompass a 9-acre parcel created by the Manchester Diocese donation of right-of-way for the proposed Gold Street Bypass. The remaining Diocese property, between the new Gold Street Bypass and existing single family homes will retain single family zoning allowing for a compatible buffer between existing homes and the proposed Bypass.

By donating the requested right-of-way, the Manchester Diocese enabled the City of Manchester, with the generous assistance of Home Depot, to solve a decades old traffic problem in the Gold Street neighborhood. Without the Diocese donation of right-of-way, further redevelopment of the Gold Street would be prohibited. Doing so allows Home Depot to expand, create new property tax revenue and allows other retailers to expand in or relocate to adjacent parcels the City of Manchester.

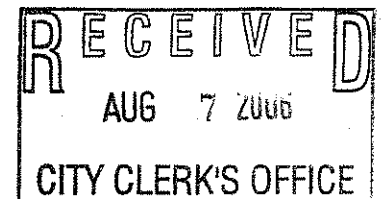
The Global Economic Development Strategy prepared by AngelouEconomics recommends that the City of Manchester “promote diverse housing that is affordable for local workers”, noting the following excerpt from the National League of Cities (<http://www.nlc.org>):

Local governments are responsible to their residents for maintaining communities where their people can live, work, enjoy recreational activities, and access services. Affordable housing, comprehensive community development, and well-planned and coordinated land use foster communities that are vibrant, diverse and sustainable. Further, these are critical components to the economic vitality of communities and local economic regions for creating jobs and increasing municipal tax base.

While this parcel is being considered for market rate development, Manchester's growing employee base in The Millyard, Downtown and throughout the City includes skilled technology and financial service professionals who need housing appropriate to their desires, lifestyle and budgets. New Hampshire business leaders and demographic experts have articulated concerns about maintaining sufficient housing availability for the demand of a growing business economy. The requested rezoning helps to address the need for housing to accommodate the growing Manchester employment base. For these reasons, your approval of this request is recommended.

Sincerely,

Paul J. Borek
Economic Development Director



One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6505 Fax (603) 624-6308
E-mail: econdev@ci.manchester.nh.us www.ci.manchester.nh.us

20

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully advises, after due and careful consideration, that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

(Unanimous vote)

IN BOARD OF MAYOR & ALDERMEN

DATE: May 15, 2007

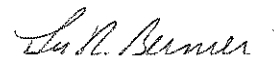
ON MOTION OF A.L.D. Forest

SECONDED BY A.L.D. Shea

VOTED TO table.


CITY CLERK

Respectfully submitted,



Clerk of Committee

8-14-06 Tabled
10-23-06 Remained
Tabled



**City of Manchester
Department of Finance**

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

August 9, 2006


Alderman Michael Garrity
C/O Mr. Leo Bernier
City Clerk
One City Hall Plaza
Manchester, NH 03101

Dear Alderman Garrity,

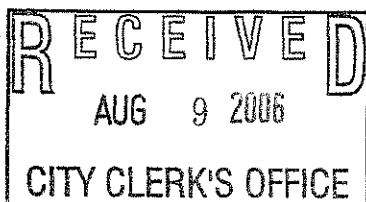
Attached is a copy of correspondence from Lowell Terrace Associates proposing a mortgage/debt consolidation for the property on the northwest corner of Lowell and Chestnut Streets. This is the item that I spoke to you about last week. With your permission, I would like to have the item discussed at the next CIP Committee meeting.

The proposal from the partnership has already been reviewed by the City Solicitor, Economic Development Director, and the Mayor's Office. Please feel free to contact me with any questions.

Sincerely,


Kevin A. Clougherty
Finance Officer

C: Thomas Clark
Paul Borek
Randy Sherman
Mayor Frank Guinta
Ken Edwards, MHRA
Peter Morgan, Property Services
Tom Musgrave, William Steele Associates



WILLIAM STEELE & ASSOCIATES, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

40 STARK STREET

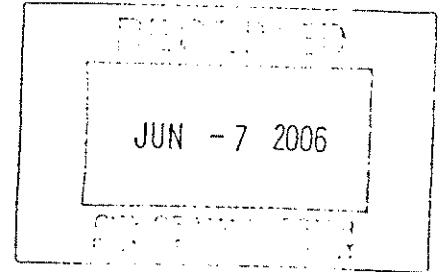
MANCHESTER, NEW HAMPSHIRE 03101

OFFICE 603-622-8881

FAX 603-647-4520

June 6, 2006

Mr. Kevin Clougherty, Finance Director
City of Manchester
One City Hall Plaza East
Manchester, NH 03101



RE: Lowell Terrace Associates

Dear Kevin:

Thank you for arranging the meeting on May 4, 2006. The meeting and subsequent telephone call the week of the 22nd was helpful. I believe we have reached some meaningful preliminary agreements concerning the terms of the original Promissory Note (Note) and subsequent amendment and modifications that will allow us to resolve the remaining issues to our mutual satisfaction.

Based on our discussions, it is my understanding that Lowell Terrace Associates (LTA) and the Manchester Housing Authority (City) agree on the following.

First, the \$1,250,000 portion of the Note is not due at this time. LTA and the City agree that the 1994 Promissory Note Amendment and subsequent modifications have extended the due date of the \$1,250,000 portion of the Note to July 1, 2013. The principal balance outstanding on this portion of the loan was \$559,811 as of December 31, 2005. Based on continuing monthly payments of \$6,885.71, this portion of the loan will be paid in full on July 1, 2013.

Second, the \$250,000 portion of the Note is due. As you know, this \$250,000 portion of the original loan has all of the characteristics of a fifty percent (50%) equity interest in the partnership. These characteristics will be described in more detail in the paragraphs that follow. The City has asked LTA to make a proposal concerning the amount of the pay off.

LTA is prepared to make the City an offer to settle the \$250,000 portion of the original loan and, once the City has reviewed and accepted the proposal, LTA will immediately seek replacement financing to pay off the City.

The original Note terms relating to the \$250,000 portion of the loan have all of the characteristics of a 50% equity interest in the partnership. Section 4 of the Note contains these provisions.

Section 4.a) of the Note describes LTA's obligation to pay interest to the City equal to 50% of the project's cash flow. In this regard, whenever LTA has made cash distributions of accumulated cash flow to its partners, a corresponding and equal cash payment has been made to the City. In connection with its settlement proposal, LTA is prepared to pay to the City 50% of the cash in its accounts, excluding cash held by LTA representing tenant deposits.

Mr. Kevin Clougherty, Finance Director

June 6, 2006

Page 2

Section 4.b) of the Note describes LTA's obligation on the twentieth anniversary date of the loan. There has been some disagreement and or misunderstanding concerning this particular provision of the loan. The City, as I understand it, feels that it would be inappropriate to reduce its entitlement under Section 4.b) of the Note by the balance outstanding on the \$1,250,000 portion of the loan. LTA maintains that the balance outstanding on the \$1,250,000 portion of the loan must be taken into account when calculating the City's entitlement. If the outstanding balance on the \$1,250,000 portion of the loan were not taken into account, the City would receive a payment exceeding the value of its 50% equity interest in the project.

Neither party expected an outstanding balance on the \$1,250,000 portion of the loan when the balloon payment due date provision for the \$250,000 portion of the loan was drafted in 1984. However, due to economic circumstances beyond the control of LTA and the City, the project was not able to service its debt and fell behind on its property taxes. Rather than assert its rights as a lien holder entitled to the delinquent property taxes, or assert its rights as the holder of the Note (which was headed into default), the City agreed to certain modifications of the Note in lieu of initiating action to take possession of the partnership's property. I submit to you that the City's actions were well reasoned and were motivated, in principal part, by the desire to protect its right to repayment of the entire outstanding balance of the loan (a balance exceeding \$1,217,000 at the time). It is not inconceivable that the City could have lost hundreds of thousands of dollars had it chosen to take possession of the property in 1994. Instead, the City acted in a manner that was both prudent and in its best interests as a lender and owner of 50% of the partnership equity. The City's actions also allowed the partners of LTA an opportunity to salvage their own 50% equity interest.

In LTA's opinion, the City's balloon payment entitlement on the \$250,000 portion of the original Note must take into account the balance outstanding on the \$1,250,000 portion of the Note. If the City's entitlement were calculated in any other manner, it would contradict the business deal between LTA and the City wherein the City was awarded a 50% equity interest in the project for its \$250,000 loan.

LTA's proposal to pay off the \$250,000 portion of the loan has been determined by treating the City as a 50% equity owner in the partnership. More specifically, the attached calculations estimate the City's balloon payment entitlement under Section 4.b) of the Note by projecting the net cash proceeds available to the partnership assuming a hypothetical sale of the property on August 1, 2006, followed by a distribution of the partnership's net assets in liquidation of the partnership.

The following assumptions are integral parts of the attached calculations.

1. The market value of the property is equal to its assessed value of \$1,255,800.
2. The outstanding principal balance on the \$1,250,000 portion of the loan is \$515,536 on August 1, 2006.

21

Mr. Kevin Clougherty, Finance Director
June 6, 2006
Page 3

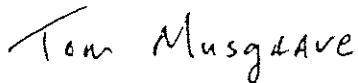
3. A 4% commission would be paid to a third-party broker to facilitate the sale.
4. A New Hampshire real estate transfer tax equal to .75% of the market value would be payable.
5. A New Hampshire Business Profits Tax equal to 8.5% of the gain recognized on sale would be payable.
6. There will be approximately \$150,000 of cash or marketable securities in the partnership's accounts on August 1, 2006.

Based upon the assumptions listed above, LTA estimates the City's entitlement on the \$250,000 portion of the original loan to be \$367,065.

After you have had an opportunity to review this proposal and discuss it with other interested parties, please call me and let me know how you would like to proceed.

Very truly yours,

WILLIAM STEELE & ASSOCIATES, P.C.



Thomas W. Musgrave, CPA

Enclosure

cc: Richard W. Hale w/enclosure
Peter A. Morgan w/enclosure

LOWELL TERRACE ASSOCIATES
HYPOTHETICAL SALE AND LIQUIDATION ANALYSIS
AS OF AUGUST 1, 2006

PROJECTED CASH AVAILABLE UPON LIQUIDATION

Estimated Cash and Value of Marketable Securities	150,000
Net Sale Proceeds - See Below	<u>1,196,150</u>
Estimated Cash Balance and Marketable Securities Value	1,346,150
Projected NH Business Profits Tax	(96,484)
Payoff Balance on \$1,250,000 Portion of Loan	<u>(515,536)</u>
Net Cash Available for Distribution	734,129
City's Equity Interest	<u>50.0%</u>
City's Equity Entitlement	<u><u>367,065</u></u>

HYPOTHETICAL SALE OF PROPERTY

Gross Sale Proceeds	1,255,800	Based on Assessed Value
Third-Party Commission @ 4%	(50,232)	
Real Estate Transfer Tax	<u>(9,419)</u>	.75% x 1,255,800
Net Sale Proceeds	1,196,150	
Adjusted Tax Basis of Property	<u>(61,040)</u>	
Projected Gain on Sale of Property	1,135,110	
NH Business Profits Tax Rate	<u>8.5%</u>	
Projected NH Business Profits Tax	<u><u>96,484</u></u>	

21

May 3, 2007

Mr. Randy Sherman
Assistant Finance Director
Finance Department
One City Hall Plaza East
Manchester, NH 03101

Re: Lowell Terrace Associates

Dear Randy:

It was good to meet with you and the other key City department heads on Monday, April 30th in preparation of the Community Improvement Plan (CIP) Committee meeting scheduled for May 8th. I have again reviewed Tom Musgrave's letter of June 6, 2006, which outlines the history of this project and our proposal last summer.

We now have two (2) major concerns:

1. The treatment of the existing balance of the City's 1st mortgage in determining the equity in the project.
2. The current market value of the building. We are contesting the 2006 revaluation.

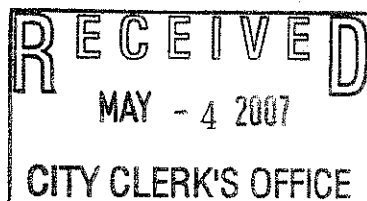
We were and are partners in saving a significant building in Manchester. We have worked closely together for over twenty-three (23) years in restoring and subsequently operating the property through good times and bad. We need to look at the deal itself and move forward to clarify the standing and term of the 2nd mortgage piece of our arrangement. There are only two (2) issues.

I look forward to meeting with the Committee on May 8th.

Sincerely yours,

Peter A. Morgan

Peter A. Morgan
Managing Partner
Lowell Terrace Associates



21

Suggested Ways Forward


1. City agrees to extend term on 2nd mortgage to July 1, 2013, concurrent with the extension of the existing 1st mortgage.
2. City demands payment of the 2nd mortgage valued at one-half (1/2) the fair market value of the building without consideration that the 1st mortgage is still in place. (Current balance of 1st mortgage as of April 30, 2007 is \$470,367.12.)
 - a. The loan will fall into default as the Lowell Terrace partners do not concur on the method of valuing the 2nd mortgage.
 - b. The default provisions in the original note clearly provide the method of valuing the 2nd mortgage in the event of a default. The remaining balance of the 1st mortgage is deducted from the fair market value to establish the value to be paid to retire the 2nd mortgage.
3. City agrees that the existing balance of the 1st mortgage affects the current value of the 2nd mortgage.
 - a. We jointly agree to establish the current fair market value of the property.
 - b. The Lowell Terrace partners will proceed to arrange 3rd party financing and within ninety (90) days of 3.a. will pay off the 2nd mortgage.



**City of Manchester
Department of Finance**

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6460
(603) 624-6549 Fax

M E M O R A N D U M

Date: May 30, 2007
To: Board of Mayor and Aldermen
From: William Sanders 
RE: Lowell Terrace Requests

Attached in response to questions and requests at the May 15 BMA meeting are the following documents related to the Lowell Terrace project.

1. The audited partnership financial statements for the years ended June 30, 2006 and June 30, 2005.
2. A four page schedule detailing from inception payments on the \$1,250,000 first mortgage.
3. A summary of interest payments received on the \$250,000 second mortgage.
4. A current amortization schedule through July 2013 for the first mortgage.
5. A copy of Randy Sherman's draft letter of September 18, 2001 regarding Lowell Terrace. This draft letter was referenced at the May 15, 2007 BMA meeting.

We have requested a certificate of insurance and expect to have copies available at the meeting.

LOWELL TERRACE ASSOCIATES
FINANCIAL STATEMENTS
FOR THE YEARS ENDED
DECEMBER 31, 2006 AND 2005

TABLE
OF
CONTENTS

	<u>Page</u>
ACCOUNTANTS' REPORT	1
FINANCIAL STATEMENTS	
Statements of Assets, Liabilities and Partners' Capital – Income Tax Basis	2
Statements of Revenue and Expenses – Income Tax Basis	3 – 4
Statements of Changes in Partners' Capital – Income Tax Basis	5
Statements of Cash Flows - Income Tax Basis	6
Notes to Financial Statements	7 – 9

WILLIAM STEELE & ASSOCIATES, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

40 STARK STREET

MANCHESTER, NEW HAMPSHIRE 03101

OFFICE 603-622-8881

FAX 603-647-4520

To the Partners
Lowell Terrace Associates
Manchester, New Hampshire

We have compiled the accompanying statements of assets, liabilities and capital - income tax basis of Lowell Terrace Associates (a partnership) as of December 31, 2006 and 2005, and the related statements of revenue and expenses, partners' capital and cash flows - income tax basis for the years then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

William Steele & Associates, P.C.

Manchester, New Hampshire
May 18, 2007

LOWELL TERRACE ASSOCIATES
STATEMENTS OF ASSETS, LIABILITIES AND PARTNERS' CAPITAL -
INCOME TAX BASIS
DECEMBER 31, 2006 AND 2005

ASSETS

	<u>2006</u>	<u>2005</u>
CURRENT ASSETS		
Cash	\$ 108,715	\$ 116,665
Cash - security deposits	14,029	16,791
Due from Metropolis	<u>3,302</u>	<u>-</u>
TOTAL CURRENT ASSETS	<u>126,046</u>	<u>133,456</u>
PROPERTY AND EQUIPMENT		
Land	50,000	50,000
Building and improvements	1,782,305	1,776,108
Furniture and fixtures	<u>21,429</u>	<u>21,429</u>
	1,853,734	1,847,537
Less: accumulated depreciation	<u>(1,790,565)</u>	<u>(1,786,497)</u>
NET PROPERTY AND EQUIPMENT	<u>63,169</u>	<u>61,040</u>
TOTAL ASSETS	<u><u>\$ 189,215</u></u>	<u><u>\$ 194,496</u></u>

LIABILITIES AND PARTNERS' CAPITAL

CURRENT LIABILITIES		
Security deposits payable	\$ 14,209	\$ 16,971
Current portion of notes payable	<u>318,777</u>	<u>316,747</u>
TOTAL CURRENT LIABILITIES	332,986	333,718
LONG-TERM LIABILITIES		
Notes payable, net of current portion	<u>602,764</u>	<u>671,541</u>
TOTAL LIABILITIES	935,750	1,005,259
PARTNERS' CAPITAL (DEFICIT)	<u>(746,535)</u>	<u>(810,763)</u>
TOTAL LIABILITIES AND PARTNERS' CAPITAL	<u><u>\$ 189,215</u></u>	<u><u>\$ 194,496</u></u>

See Accountants' Compilation Report and Notes to Financial Statements

LOWELL TERRACE ASSOCIATES
STATEMENTS OF REVENUE AND EXPENSES -
INCOME TAX BASIS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005

	<u>2006</u>	<u>2005</u>
REVENUE		
Rental income	\$ 267,603	\$ 274,258
Other income	<u>2,231</u>	<u>2,174</u>
TOTAL REVENUE	<u>269,834</u>	<u>276,432</u>
OPERATING EXPENSES		
Real estate taxes	38,300	35,614
Gas	34,893	25,623
Repairs and maintenance	22,640	13,073
Management fees	20,604	18,449
Interest	15,882	29,852
Electricity	12,116	10,046
Insurance	10,038	9,540
Water and sewer	9,303	11,758
Accounting fees	9,261	3,075
Janitorial service	6,351	8,861
Exterminator	4,305	2,600
Depreciation	4,068	4,058
Supplies	3,883	3,171
Fire alarm	2,680	2,659
Waste disposal	2,160	2,160
Filing fee	1,315	-
Bank charges	1,279	1,480
General partner fees	1,200	1,200
Legal fees	1,156	-
Appliances	898	-
Central business district tax	828	804
Rental equipment	571	-
Grounds maintenance	475	1,620
Advertising	461	752
Telephone	375	317
Entertainment	240	67
Rental incentive plan fee	100	-
Foreign tax expense	38	13
Amortization	<u>-</u>	<u>2,250</u>
TOTAL OPERATING EXPENSES	<u>\$ 205,420</u>	<u>\$ 189,042</u>

See Accountants' Compilation Report and Notes to Financial Statements

LOWELL TERRACE ASSOCIATES
STATEMENTS OF REVENUE AND EXPENSES -
INCOME TAX BASIS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005

	<u>2006</u>	<u>2005</u>
INCOME FROM OPERATIONS	64,414	87,390
INTEREST AND DIVIDEND INCOME	2,266	2,842
GAIN ON SALE OF SECURITIES	<u>2,640</u>	<u>-</u>
INCOME BEFORE STATE TAXES	69,320	90,232
STATE TAXES PAID	<u>(5,092)</u>	<u>(11,298)</u>
NET INCOME	<u>\$ 64,228</u>	<u>\$ 78,934</u>

See Accountants' Compilation Report and Notes to Financial Statements

LOWELL TERRACE ASSOCIATES
STATEMENTS OF CHANGES IN PARTNERS' CAPITAL (DEFICIENCY) -
INCOME TAX BASIS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005

BALANCE, December 31, 2004	\$ (847,697)
Net Income	78,934
Cash Distributions to Partners	<u>(42,000)</u>
BALANCE, December 31, 2005	(810,763)
Net Income	64,228
Cash Distributions to Partners	<u>-</u>
BALANCE, December 31, 2006	<u><u>\$ (746,535)</u></u>

See Accountants' Compilation Report and Notes to Financial Statements

LOWELL TERRACE ASSOCIATES
STATEMENTS OF CASH FLOWS -
INCOME TAX BASIS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005

	<u>2006</u>	<u>2005</u>
CASH FLOWS FROM OPERATING ACTIVITIES:		
Net Income	\$ 64,228	\$ 78,934
Adjustments to reconcile net income to net cash from operations:		
Depreciation	4,068	4,058
Amortization	-	2,250
Increase (decrease) in assets and liabilities:		
Security deposits payable	(2,762)	(1,850)
Due from Metropolis	(3,302)	-
	<u>62,232</u>	<u>83,392</u>
NET CASH PROVIDED BY OPERATING ACTIVITIES		
CASH FLOWS FROM FINANCING ACTIVITIES		
Purchase of new equipment and improvements	(6,197)	(1,118)
Principal payments on notes payable	(66,747)	(64,777)
Cash distributions to partners	-	(42,000)
	<u>(72,944)</u>	<u>(107,895)</u>
NET CASH USED BY FINANCING ACTIVITIES		
NET DECREASE IN CASH	(10,712)	(24,503)
CASH, BEGINNING OF YEAR	<u>133,456</u>	<u>157,959</u>
CASH, END OF YEAR	<u>\$ 122,744</u>	<u>\$ 133,456</u>

SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION

	<u>2006</u>	<u>2005</u>
Cash paid during the year for:		
Interest	\$ 15,882	\$ 29,852
State Taxes, net of refunds	\$ 5,092	\$ 11,298

See Accountants' Compilation Report and Notes to Financial Statements

**LOWELL TERRACE ASSOCIATES
NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005**

NOTE 1. THE PARTNERSHIP

Lowell Terrace Associates is a New Hampshire general partnership formed on September 1, 1984 for the purpose of managing and investing in real estate for its own purposes or on behalf of others. During 1986, the Partnership, through a related party (See Note 5), completed the construction of a 63-unit low-income housing project in Manchester, New Hampshire. Occupancy in units of the project includes leases whose rent levels conform to the Section 8 Existing Program offered by the United States Department of Housing and Urban Development. This project is presently the Partnership's only investment.

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation

The Partnership's policy is to prepare its financial statements on the accounting basis used for income tax purposes, generally on the basis of cash receipts and disbursements. On such basis, the financial statements do not include rents accrued or uncollected, or accounts payable for services billed but unpaid and other accrued liabilities. These policies differ from generally accepted accounting principles whereby income and the related assets are recognized when earned and certain expenses are recognized when the related obligations are incurred.

Depreciation

Depreciation is computed using straight-line and accelerated methods over lives ranging from five to twenty-eight years.

Deferred Costs

Financing fees have been amortized over the term (20 years) of the underlying indebtedness to which it relates.

Income Taxes

Lowell Terrace Associates is treated as a Partnership for federal income tax purposes and does not incur federal income taxes. Instead, the Partnership's profits and losses are reported in the individual partners' tax return. The Partnership is liable for state income taxes and state business taxes. When state taxes are paid by the Partnership, such taxes are reflected in the partners' distributive share of income or loss.

Concentration of Credit Risk

The Partnership occasionally maintains deposits in excess of Federally insured limits. Statements of Financial Accounting Standards No. 105 identifies these items as a concentration of credit risk requiring disclosure regardless of the degree of risk. The risk is managed by maintaining all deposits in high quality financial institutions.

**LOWELL TERRACE ASSOCIATES
NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005**

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Use of Estimates

The preparation of financial statements requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from these estimates.

Reclassifications

Certain amounts in the December 31, 2005 financial statements have been reclassified to conform to the December 31, 2006 presentation.

NOTE 3. NOTES PAYABLE

Notes payable at December 31, 2006 and 2005 consist of the following:

	<u>2006</u>	<u>2005</u>
\$1,500,000 Promissory Note dated December 1984, (as amended and modified) with the following terms and conditions:		
\$1,250,000 of the Promissory Note bears interest at 3%; payable in monthly installments of \$6,886; matures July 2013. The note is secured by a first mortgage on the project and the personal guarantees of the partners.	\$ 493,064	\$ 559,811
\$250,000 of the Promissory Note requires annual interest payments commencing in 1987 equal to 50% of the net cash flows of the project, as defined; a balloon payment of principal and interest is due under the terms of the original note 20 years after completion of construction equal to one-half (1/2) of the fair market value of the property at that date. The note is secured by a first mortgage on the project and the personal guarantees of the partners. Interest payments of \$12,000 were made in 2005.	250,000	250,000
Note payable to a partner; principal due on demand, interest at 10.5% per annum; collateralized by a mortgage on the project. No payments were made on this note during 2006 and 2005.	80,000	80,000

LOWELL TERRACE ASSOCIATES
NOTES TO FINANCIAL STATEMENTS
FOR THE YEARS ENDED DECEMBER 31, 2006 AND 2005

NOTE 3. NOTES PAYABLE (continued)

	<u>2006</u>	<u>2005</u>
Other unsecured notes payable due to affiliated entities and partners of the Partnership, with no repayment terms or rates of interest specified.	<u>\$ 98,477</u>	<u>\$ 98,477</u>
	921,541	988,288
Less: current portion due within one year	<u>(318,777)</u>	<u>(316,747)</u>
	<u>\$ 602,764</u>	<u>\$ 671,541</u>

The aggregate amount of future principal payments on partnership debt at December 31, 2006 are as follows:

Year Ending December 31,	
2007	\$318,777
2008	70,869
2009	73,025
2010	75,246
2011	77,534
2012 and thereafter	<u>306,090</u>
Total	<u>\$921,541</u>

NOTE 4. RELATED PARTY TRANSACTIONS

The Partnership receives property management services (for a management fee determined at 7% of rental income) from a related entity. The Partnership paid \$1,200 during 2006 and 2005 to an entity controlled by one of the partners for extraordinary general partner services. In addition, as discussed in Note 3, the Partnership is obligated to the partners and various other related parties in the amount of \$178,477 at December 31, 2006 and 2005.

Lowell Terrace		
Payments on \$1,250,000		
First Mortgage		
NUMBER	DATE PAID	AMOUNT PAID
1	5/17/89	7,829.69
2	6/6/89	7,829.69
3	7/17/89	7,829.69
4	8/10/89	7,829.69
5	9/13/89	7,829.69
6	11/22/89	7,829.69
7	11/22/89	7,829.69
8	12/13/89	7,829.69
9	1/17/90	7,829.69
10	2/15/90	7,829.69
11	3/15/89	7,829.69
12	4/18/90	7,829.69
13	5/14/90	7,829.69
14	6/14/90	7,829.69
15	7/17/90	7,829.69
16	8/20/90	7,829.69
17	9/12/90	7,829.69
18	10/26/90	7,829.69
19	11/19/90	7,829.69
20	12/24/90	7,829.69
21	1/15/91	7,829.69
22	2/21/91	7,829.69
23	3/14/91	7,829.69
24	4/15/91	7,829.69
25	5/20/91	7,829.69
26	6/13/91	7,829.69
27	7/30/91	7,829.69
28	8/15/91	7,829.69
29	9/16/91	7,829.69
30	10/21/91	7,829.69
31	11/18/91	7,829.69
32	12/13/91	7,829.69
33	1/15/92	7,829.69
34	2/19/92	7,829.69
35	3/6/92	7,829.69
36	4/16/92	7,829.69
37	5/14/92	7,829.69
38	6/15/92	7,829.69
39	7/31/92	7,829.69
40	8/12/92	7,829.69
41	8/19/92	7,829.69
42	9/22/92	7,829.69
43	10/13/92	7,829.69
44	11/17/92	7,829.69
45	12/11/92	7,829.69
46	1/12/93	7,829.69
47	2/11/93	7,829.69
48	3/11/93	7,829.69
49	4/13/93	7,829.69
50	5/11/93	7,829.69

21

51	6/11/93	7,829.69
52	7/14/93	7,829.69
53	8/9/93	7,829.69
54	9/9/93	7,829.69
55	10/14/93	7,829.69
56	11/19/93	7,829.69
57	12/13/93	7,829.69
58	1/6/94	7,829.69
59	2/16/94	7,829.69
60	3/11/94	7,829.69
61	4/13/94	7,829.69
62	5/25/94	7,829.69
63	6/30/94	7,829.69
64	8/15/94	7,829.69
65	10/14/94	7,829.69
66	10/14/94	7,829.69
67	11/28/94	7,829.69
68	12/29/94	7,829.69
69	1/31/95	7,829.69
70	4/10/95	2,500.00
71	5/9/95	2,500.00
72	6/15/95	2,500.00
73	7/15/95	2,500.00
74	8/15/95	2,500.00
75	9/14/95	2,500.00
76	10/20/95	2,500.00
77	11/20/95	2,500.00
78	12/26/95	2,500.00
79	1/19/96	2,500.00
80	2/20/96	2,500.00
81	3/18/96	2,500.00
82	4/18/96	2,500.00
83	5/13/96	2,500.00
84	6/11/96	2,500.00
85	7/12/96	2,500.00
86	8/15/96	2,500.00
87	9/13/96	2,500.00
88	10/96	2,500.00
89	11/19/96	2,500.00
90	12/10/96	2,500.00
91	1/24/97	2,500.00
92	3/17/97	2,500.00
93	4/15/97	2,500.00
94	5/16/97	2,500.00
95	06/19/97	2,500.00
96	07/21/97	2,500.00
97	8/19/97	2,500.00
98	09/23/97	2,500.00
99	10/16/97	2,500.00
100	11/20/97	2,500.00
101	12/12/97	2,500.00
102	1/26/98	2,500.00
103	2/18/98	2,500.00
104	3/17/98	2,500.00
105	4/16/98	2,500.00
106	5/13/98	2,500.00
107	6/16/98	2,500.00
108	8/7/98	6,885.71

21

109	9/3/98	6,885.71
110	copy of check not made	6,885.71
111	11/6/98	6,885.71
112	12/3/98	6,885.71
113	1/5/99	6,885.71
114	2/8/99	6,885.71
115	3/8/99	6,885.71
116	4/08/99	6,885.71
117	5/17/99	6,885.71
118	6/30/99	6,885.71
119	7/6/99	6,885.71
120	8/3/99	6,885.71
121	9/2/99	6,885.71
122	10/5/99	6,885.71
123	11/4/99	6,885.71
124	12/2/99	6,885.71
125	1/6/00	6,885.71
126	2/3/0	6,885.71
127	3/1/00	6,885.71
128	4/6/00	6,885.71
129	5/4/00	6,885.71
130	6/1/00	6,885.71
131	7/6/00	6,885.71
132	8/8/00	6,885.71
133	9/7/00	6,885.71
134	10/5/00	6,885.71
135	10/2/00	6,885.71
136	12/5/00	6,885.71
137	01/05/01	6,885.71
138	02/07/01	6,885.71
139	03/12/01	6,885.71
140	4/6/01	6,885.71
141	05/07/01	6,885.71
142	06/06/01	6,885.71
143	07/10/01	6,885.71
144	08/02/01	6,885.71
145	09/06/01	6,885.71
146	10/04/01	6,885.71
147	11/02/01	6,885.71
148	12/6/01	6,885.71
149	1/3/02	6,885.71
150	2/7/02	6,885.71
151	3/14/02	6,885.71
152	4/4/02	6,885.71
153	5/9/02	6,885.71
154	6/6/02	6,885.71
155	07/02/02	6,885.71
156	08/02/02	6,885.71
157	9/5/02	6,885.71
158	10/03/02	6,885.71
159	11/4/02	6,885.71
160	12/05/02	6,885.71
161	01/02/03	6,885.71
162	02/06/03	6,885.71
163	3/6/03	6,885.71
164	4/10/03	6,885.71
165	5/8/03	6,885.71
166	6/5/03	6,885.71

21

167	7/3/03	6,885.71
168	08/07/03	6,885.71
169	9/7/03	6,885.71
170	10/02/03	6,885.71
171	11/07/03	6,885.71
172	12/5/03	6,885.71
173	01/08/04	6,885.71
174	2/5/04	6,885.71
175	3/4/04	6,885.71
176	4/1/04	6,885.71
177	5/6/04	6,885.71
178	6/3/04	6,885.71
179	7/9/04	6,885.71
180	8/5/04	6,885.71
181	9/2/04	6,885.71
182	10/7/04	6,885.71
183	11/4/04	6,885.71
184	12/2/04	6,885.71
185	1/6/05	6,885.71
186	2/3/05	6,885.71
187	03/05/05	6,885.71
188	4/7/05	6,885.71
189	5/5/05	6,885.71
190	6/2/05	6,885.71
191	7/7/05	6,885.71
192	8/4/05	6,885.71
193	9/1/05	6,885.71
194	10/6/05	6,885.71
195	11/4/05	6,885.71
196	12/2/05	6,885.71
197	1/6/06	6,885.71
198	2/2/06	6,885.71
199	3/3/06	6,885.71
200	4/6/06	6,885.71
201	5/4/06	6,885.71
202	6/1/06	6,885.71
203	7/7/06	6,885.71
204	8/4/06	6,885.71
205	9/7/06	6,885.71
206	10/5/06	6,885.71
207	11/1/06	6,885.71
208	12/8/06	6,885.71
209	1/2/07	6,885.71
210	2/1/07	6,885.71
211	3/9/07	6,885.71
212	4/5/07	6,885.71
Total		\$1,351,362.45
Total Interest		\$571,730.05
Total Principal		\$779,632.40
Total Paid		\$1,351,362.45

21

Lowell Terrace

Interest Payments on \$250,000 Second Mortgage

Fiscal Year	Amount
2007	0
2006	12,000
2005	30,000
2004	25,000
2003	90,000
2001	35,293
Total Received	\$192,293

Wes
5/30/07

	CDBG PROGRAM INCOME			Principal Amount	\$ 997,087.76
	LOWELL TERRACE			Years to Maturity	15
				# of Payments	180
				Interest Rate	3.00%
				Pmts per year	12
				Year of Loan	
				Payment	\$6,885.71
#	Date	Payment	Interest	Principal	Balance
					\$ 997,087.76
1	Aug-98	\$6,885.71	\$ 2,492.72	\$ 4,392.99	\$ 992,694.77
2	Sep-98	\$6,885.71	\$ 2,481.74	\$ 4,403.97	\$ 988,290.81
3	Oct-98	\$6,885.71	\$ 2,470.73	\$ 4,414.98	\$ 983,875.83
4	Nov-98	\$6,885.71	\$ 2,459.69	\$ 4,426.02	\$ 979,449.81
5	Dec-98	\$6,885.71	\$ 2,448.62	\$ 4,437.08	\$ 975,012.73
6	Jan-99	\$6,885.71	\$ 2,437.53	\$ 4,448.17	\$ 970,564.56
7	Feb-99	\$6,885.71	\$ 2,426.41	\$ 4,459.29	\$ 966,105.27
8	Mar-99	\$6,885.71	\$ 2,415.26	\$ 4,470.44	\$ 961,634.82
9	Apr-99	\$6,885.71	\$ 2,404.09	\$ 4,481.62	\$ 957,153.21
10	May-99	\$6,885.71	\$ 2,392.88	\$ 4,492.82	\$ 952,660.38
11	Jun-99	\$6,885.71	\$ 2,381.65	\$ 4,504.05	\$ 948,156.33
12	Jul-99	\$6,885.71	\$ 2,370.39	\$ 4,515.31	\$ 943,641.02
13	Aug-99	\$6,885.71	\$ 2,359.10	\$ 4,526.60	\$ 939,114.41
14	Sep-99	\$6,885.71	\$ 2,347.79	\$ 4,537.92	\$ 934,576.49
15	Oct-99	\$6,885.71	\$ 2,336.44	\$ 4,549.26	\$ 930,027.23
16	Nov-99	\$6,885.71	\$ 2,325.07	\$ 4,560.64	\$ 925,466.59
17	Dec-99	\$6,885.71	\$ 2,313.67	\$ 4,572.04	\$ 920,894.55
18	Jan-00	\$6,885.71	\$ 2,302.24	\$ 4,583.47	\$ 916,311.09
19	Feb-00	\$6,885.71	\$ 2,290.78	\$ 4,594.93	\$ 911,716.16
20	Mar-00	\$6,885.71	\$ 2,279.29	\$ 4,606.41	\$ 907,109.74
21	Apr-00	\$6,885.71	\$ 2,267.77	\$ 4,617.93	\$ 902,491.81
22	May-00	\$6,885.71	\$ 2,256.23	\$ 4,629.48	\$ 897,862.34
23	Jun-00	\$6,885.71	\$ 2,244.66	\$ 4,641.05	\$ 893,221.29
24	Jul-00	\$6,885.71	\$ 2,233.05	\$ 4,652.65	\$ 888,568.64
25	Aug-00	\$6,885.71	\$ 2,221.42	\$ 4,664.28	\$ 883,904.35
26	Sep-00	\$6,885.71	\$ 2,209.76	\$ 4,675.94	\$ 879,228.41
27	Oct-00	\$6,885.71	\$ 2,198.07	\$ 4,687.63	\$ 874,540.78
28	Nov-00	\$6,885.71	\$ 2,186.35	\$ 4,699.35	\$ 869,841.42
29	Dec-00	\$6,885.71	\$ 2,174.60	\$ 4,711.10	\$ 865,130.32
30	Jan-01	\$6,885.71	\$ 2,162.83	\$ 4,722.88	\$ 860,407.44
31	Feb-01	\$6,885.71	\$ 2,151.02	\$ 4,734.69	\$ 855,672.76
32	Mar-01	\$6,885.71	\$ 2,139.18	\$ 4,746.52	\$ 850,926.23
33	Apr-01	\$6,885.71	\$ 2,127.32	\$ 4,758.39	\$ 846,167.84
34	May-01	\$6,885.71	\$ 2,115.42	\$ 4,770.29	\$ 841,397.56
35	Jun-01	\$6,885.71	\$ 2,103.49	\$ 4,782.21	\$ 836,615.35
36	Jul-01	\$6,885.71	\$ 2,091.54	\$ 4,794.17	\$ 831,821.18
37	Aug-01	\$6,885.71	\$ 2,079.55	\$ 4,806.15	\$ 827,015.03
38	Sep-01	\$6,885.71	\$ 2,067.54	\$ 4,818.17	\$ 822,196.86
39	Oct-01	\$6,885.71	\$ 2,055.49	\$ 4,830.21	\$ 817,366.65
40	Nov-01	\$6,885.71	\$ 2,043.42	\$ 4,842.29	\$ 812,524.36
41	Dec-01	\$6,885.71	\$ 2,031.31	\$ 4,854.39	\$ 807,669.97
42	Jan-02	\$6,885.71	\$ 2,019.17	\$ 4,866.53	\$ 802,803.44
43	Feb-02	\$6,885.71	\$ 2,007.01	\$ 4,878.70	\$ 797,924.74
44	Mar-02	\$6,885.71	\$ 1,994.81	\$ 4,890.89	\$ 793,033.85

Lowell Terrace

21

CDBG PROGRAM INCOME				Principal Amount	\$ 997,087.76
LOWELL TERRACE				Years to Maturity	15
				# of Payments	180
				Interest Rate	3.00%
				Pmts per year	12
				Year of Loan	
				Payment	\$6,885.71
#	Date	Payment	Interest	Principal	Balance
45	Apr-02	\$6,885.71	\$ 1,982.58	\$ 4,903.12	\$ 788,130.73
46	May-02	\$6,885.71	\$ 1,970.33	\$ 4,915.38	\$ 783,215.35
47	Jun-02	\$6,885.71	\$ 1,958.04	\$ 4,927.67	\$ 778,287.68
48	Jul-02	\$6,885.71	\$ 1,945.72	\$ 4,939.99	\$ 773,347.69
49	Aug-02	\$6,885.71	\$ 1,933.37	\$ 4,952.34	\$ 768,395.36
50	Sep-02	\$6,885.71	\$ 1,920.99	\$ 4,964.72	\$ 763,430.64
51	Oct-02	\$6,885.71	\$ 1,908.58	\$ 4,977.13	\$ 758,453.51
52	Nov-02	\$6,885.71	\$ 1,896.13	\$ 4,989.57	\$ 753,463.94
53	Dec-02	\$6,885.71	\$ 1,883.66	\$ 5,002.05	\$ 748,461.90
54	Jan-03	\$6,885.71	\$ 1,871.15	\$ 5,014.55	\$ 743,447.35
55	Feb-03	\$6,885.71	\$ 1,858.62	\$ 5,027.09	\$ 738,420.26
56	Mar-03	\$6,885.71	\$ 1,846.05	\$ 5,039.65	\$ 733,380.61
57	Apr-03	\$6,885.71	\$ 1,833.45	\$ 5,052.25	\$ 728,328.35
58	May-03	\$6,885.71	\$ 1,820.82	\$ 5,064.88	\$ 723,263.47
59	Jun-03	\$6,885.71	\$ 1,808.16	\$ 5,077.55	\$ 718,185.92
60	Jul-03	\$6,885.71	\$ 1,795.46	\$ 5,090.24	\$ 713,095.68
61	Aug-03	\$6,885.71	\$ 1,782.74	\$ 5,102.97	\$ 707,992.72
62	Sep-03	\$6,885.71	\$ 1,769.98	\$ 5,115.72	\$ 702,876.99
63	Oct-03	\$6,885.71	\$ 1,757.19	\$ 5,128.51	\$ 697,748.48
64	Nov-03	\$6,885.71	\$ 1,744.37	\$ 5,141.33	\$ 692,607.15
65	Dec-03	\$6,885.71	\$ 1,731.52	\$ 5,154.19	\$ 687,452.96
66	Jan-04	\$6,885.71	\$ 1,718.63	\$ 5,167.07	\$ 682,285.89
67	Feb-04	\$6,885.71	\$ 1,705.71	\$ 5,179.99	\$ 677,105.90
68	Mar-04	\$6,885.71	\$ 1,692.76	\$ 5,192.94	\$ 671,912.96
69	Apr-04	\$6,885.71	\$ 1,679.78	\$ 5,205.92	\$ 666,707.03
70	May-04	\$6,885.71	\$ 1,666.77	\$ 5,218.94	\$ 661,488.10
71	Jun-04	\$6,885.71	\$ 1,653.72	\$ 5,231.98	\$ 656,256.11
72	Jul-04	\$6,885.71	\$ 1,640.64	\$ 5,245.06	\$ 651,011.05
73	Aug-04	\$6,885.71	\$ 1,627.53	\$ 5,258.18	\$ 645,752.87
74	Sep-04	\$6,885.71	\$ 1,614.38	\$ 5,271.32	\$ 640,481.55
75	Oct-04	\$6,885.71	\$ 1,601.20	\$ 5,284.50	\$ 635,197.05
76	Nov-04	\$6,885.71	\$ 1,587.99	\$ 5,297.71	\$ 629,899.33
77	Dec-04	\$6,885.71	\$ 1,574.75	\$ 5,310.96	\$ 624,588.38
78	Jan-05	\$6,885.71	\$ 1,561.47	\$ 5,324.23	\$ 619,264.14
79	Feb-05	\$6,885.71	\$ 1,548.16	\$ 5,337.54	\$ 613,926.60
80	Mar-05	\$6,885.71	\$ 1,534.82	\$ 5,350.89	\$ 608,575.71
81	Apr-05	\$6,885.71	\$ 1,521.44	\$ 5,364.27	\$ 603,211.44
82	May-05	\$6,885.71	\$ 1,508.03	\$ 5,377.68	\$ 597,833.77
83	Jun-05	\$6,885.71	\$ 1,494.58	\$ 5,391.12	\$ 592,442.65
84	Jul-05	\$6,885.71	\$ 1,481.11	\$ 5,404.60	\$ 587,038.05
85	Aug-05	\$6,885.71	\$ 1,467.60	\$ 5,418.11	\$ 581,619.94
86	Sep-05	\$6,885.71	\$ 1,454.05	\$ 5,431.66	\$ 576,188.28
87	Oct-05	\$6,885.71	\$ 1,440.47	\$ 5,445.23	\$ 570,743.05
88	Nov-05	\$6,885.71	\$ 1,426.86	\$ 5,458.85	\$ 565,284.20
89	Dec-05	\$6,885.71	\$ 1,413.21	\$ 5,472.49	\$ 559,811.71

CDBG PROGRAM INCOME				Principal Amount	\$ 997,087.76
LOWELL TERRACE				Years to Maturity	15
				# of Payments	180
				Interest Rate	3.00%
				Pmts per year	12
				Year of Loan	
				Payment	\$6,885.71
#	Date	Payment	Interest	Principal	Balance
90	Jan-06	\$6,885.71	\$ 1,399.53	\$ 5,486.18	\$ 554,325.53
91	Feb-06	\$6,885.71	\$ 1,385.81	\$ 5,499.89	\$ 548,825.64
92	Mar-06	\$6,885.71	\$ 1,372.06	\$ 5,513.64	\$ 543,312.00
93	Apr-06	\$6,885.71	\$ 1,358.28	\$ 5,527.43	\$ 537,784.57
94	May-06	\$6,885.71	\$ 1,344.46	\$ 5,541.24	\$ 532,243.33
95	Jun-06	\$6,885.71	\$ 1,330.61	\$ 5,555.10	\$ 526,688.23
96	Jul-06	\$6,885.71	\$ 1,316.72	\$ 5,568.98	\$ 521,119.25
97	Aug-06	\$6,885.71	\$ 1,302.80	\$ 5,582.91	\$ 515,536.34
98	Sep-06	\$6,885.71	\$ 1,288.84	\$ 5,596.86	\$ 509,939.48
99	Oct-06	\$6,885.71	\$ 1,274.85	\$ 5,610.86	\$ 504,328.62
100	Nov-06	\$6,885.71	\$ 1,260.82	\$ 5,624.88	\$ 498,703.74
101	Dec-06	\$6,885.71	\$ 1,246.76	\$ 5,638.95	\$ 493,064.79
102	Jan-07	\$6,885.71	\$ 1,232.66	\$ 5,653.04	\$ 487,411.75
103	Feb-07	\$6,885.71	\$ 1,218.53	\$ 5,667.18	\$ 481,744.57
104	Mar-07	\$6,885.71	\$ 1,204.36	\$ 5,681.34	\$ 476,063.23
105	Apr-07	\$6,885.71	\$ 1,190.16	\$ 5,695.55	\$ 470,367.68
106	May-07	\$6,885.71	\$ 1,175.92	\$ 5,709.79	\$ 464,657.90
107	Jun-07	\$6,885.71	\$ 1,161.64	\$ 5,724.06	\$ 458,933.84
108	Jul-07	\$6,885.71	\$ 1,147.33	\$ 5,738.37	\$ 453,195.47
109	Aug-07	\$6,885.71	\$ 1,132.99	\$ 5,752.72	\$ 447,442.75
110	Sep-07	\$6,885.71	\$ 1,118.61	\$ 5,767.10	\$ 441,675.65
111	Oct-07	\$6,885.71	\$ 1,104.19	\$ 5,781.52	\$ 435,894.14
112	Nov-07	\$6,885.71	\$ 1,089.74	\$ 5,795.97	\$ 430,098.17
113	Dec-07	\$6,885.71	\$ 1,075.25	\$ 5,810.46	\$ 424,287.71
114	Jan-08	\$6,885.71	\$ 1,060.72	\$ 5,824.99	\$ 418,462.72
115	Feb-08	\$6,885.71	\$ 1,046.16	\$ 5,839.55	\$ 412,623.17
116	Mar-08	\$6,885.71	\$ 1,031.56	\$ 5,854.15	\$ 406,769.03
117	Apr-08	\$6,885.71	\$ 1,016.92	\$ 5,868.78	\$ 400,900.24
118	May-08	\$6,885.71	\$ 1,002.25	\$ 5,883.45	\$ 395,016.79
119	Jun-08	\$6,885.71	\$ 987.54	\$ 5,898.16	\$ 389,118.63
120	Jul-08	\$6,885.71	\$ 972.80	\$ 5,912.91	\$ 383,205.72
121	Aug-08	\$6,885.71	\$ 958.01	\$ 5,927.69	\$ 377,278.03
122	Sep-08	\$6,885.71	\$ 943.20	\$ 5,942.51	\$ 371,335.52
123	Oct-08	\$6,885.71	\$ 928.34	\$ 5,957.37	\$ 365,378.15
124	Nov-08	\$6,885.71	\$ 913.45	\$ 5,972.26	\$ 359,405.89
125	Dec-08	\$6,885.71	\$ 898.51	\$ 5,987.19	\$ 353,418.70
126	Jan-09	\$6,885.71	\$ 883.55	\$ 6,002.16	\$ 347,416.54
127	Feb-09	\$6,885.71	\$ 868.54	\$ 6,017.16	\$ 341,399.38
128	Mar-09	\$6,885.71	\$ 853.50	\$ 6,032.21	\$ 335,367.17
129	Apr-09	\$6,885.71	\$ 838.42	\$ 6,047.29	\$ 329,319.89
130	May-09	\$6,885.71	\$ 823.30	\$ 6,062.41	\$ 323,257.48
131	Jun-09	\$6,885.71	\$ 808.14	\$ 6,077.56	\$ 317,179.92
132	Jul-09	\$6,885.71	\$ 792.95	\$ 6,092.76	\$ 311,087.16
133	Aug-09	\$6,885.71	\$ 777.72	\$ 6,107.99	\$ 304,979.18
134	Sep-09	\$6,885.71	\$ 762.45	\$ 6,123.26	\$ 298,855.92

Lowell Terrace

21

CDBG PROGRAM INCOME			Principal Amount	\$	997,087.76
LOWELL TERRACE			Years to Maturity		15
			# of Payments		180
			Interest Rate		3.00%
			Pmts per year		12
			Year of Loan		
			Payment		\$6,885.71
#	Date	Payment	Interest	Principal	Balance
135	Oct-09	\$6,885.71	\$ 747.14	\$ 6,138.57	\$ 292,717.35
136	Nov-09	\$6,885.71	\$ 731.79	\$ 6,153.91	\$ 286,563.44
137	Dec-09	\$6,885.71	\$ 716.41	\$ 6,169.30	\$ 280,394.15
138	Jan-10	\$6,885.71	\$ 700.99	\$ 6,184.72	\$ 274,209.43
139	Feb-10	\$6,885.71	\$ 685.52	\$ 6,200.18	\$ 268,009.25
140	Mar-10	\$6,885.71	\$ 670.02	\$ 6,215.68	\$ 261,793.56
141	Apr-10	\$6,885.71	\$ 654.48	\$ 6,231.22	\$ 255,562.34
142	May-10	\$6,885.71	\$ 638.91	\$ 6,246.80	\$ 249,315.54
143	Jun-10	\$6,885.71	\$ 623.29	\$ 6,262.42	\$ 243,053.13
144	Jul-10	\$6,885.71	\$ 607.63	\$ 6,278.07	\$ 236,775.05
145	Aug-10	\$6,885.71	\$ 591.94	\$ 6,293.77	\$ 230,481.29
146	Sep-10	\$6,885.71	\$ 576.20	\$ 6,309.50	\$ 224,171.79
147	Oct-10	\$6,885.71	\$ 560.43	\$ 6,325.28	\$ 217,846.51
148	Nov-10	\$6,885.71	\$ 544.62	\$ 6,341.09	\$ 211,505.42
149	Dec-10	\$6,885.71	\$ 528.76	\$ 6,356.94	\$ 205,148.48
150	Jan-11	\$6,885.71	\$ 512.87	\$ 6,372.83	\$ 198,775.65
151	Feb-11	\$6,885.71	\$ 496.94	\$ 6,388.77	\$ 192,386.88
152	Mar-11	\$6,885.71	\$ 480.97	\$ 6,404.74	\$ 185,982.14
153	Apr-11	\$6,885.71	\$ 464.96	\$ 6,420.75	\$ 179,561.39
154	May-11	\$6,885.71	\$ 448.90	\$ 6,436.80	\$ 173,124.59
155	Jun-11	\$6,885.71	\$ 432.81	\$ 6,452.89	\$ 166,671.70
156	Jul-11	\$6,885.71	\$ 416.68	\$ 6,469.03	\$ 160,202.67
157	Aug-11	\$6,885.71	\$ 400.51	\$ 6,485.20	\$ 153,717.47
158	Sep-11	\$6,885.71	\$ 384.29	\$ 6,501.41	\$ 147,216.06
159	Oct-11	\$6,885.71	\$ 368.04	\$ 6,517.66	\$ 140,698.40
160	Nov-11	\$6,885.71	\$ 351.75	\$ 6,533.96	\$ 134,164.44
161	Dec-11	\$6,885.71	\$ 335.41	\$ 6,550.29	\$ 127,614.14
162	Jan-12	\$6,885.71	\$ 319.04	\$ 6,566.67	\$ 121,047.47
163	Feb-12	\$6,885.71	\$ 302.62	\$ 6,583.09	\$ 114,464.39
164	Mar-12	\$6,885.71	\$ 286.16	\$ 6,599.54	\$ 107,864.84
165	Apr-12	\$6,885.71	\$ 269.66	\$ 6,616.04	\$ 101,248.80
166	May-12	\$6,885.71	\$ 253.12	\$ 6,632.58	\$ 94,616.22
167	Jun-12	\$6,885.71	\$ 236.54	\$ 6,649.16	\$ 87,967.05
168	Jul-12	\$6,885.71	\$ 219.92	\$ 6,665.79	\$ 81,301.27
169	Aug-12	\$6,885.71	\$ 203.25	\$ 6,682.45	\$ 74,618.82
170	Sep-12	\$6,885.71	\$ 186.55	\$ 6,699.16	\$ 67,919.66
171	Oct-12	\$6,885.71	\$ 169.80	\$ 6,715.91	\$ 61,203.75
172	Nov-12	\$6,885.71	\$ 153.01	\$ 6,732.70	\$ 54,471.06
173	Dec-12	\$6,885.71	\$ 136.18	\$ 6,749.53	\$ 47,721.53
174	Jan-13	\$6,885.71	\$ 119.30	\$ 6,766.40	\$ 40,955.13
175	Feb-13	\$6,885.71	\$ 102.39	\$ 6,783.32	\$ 34,171.81
176	Mar-13	\$6,885.71	\$ 85.43	\$ 6,800.28	\$ 27,371.53
177	Apr-13	\$6,885.71	\$ 68.43	\$ 6,817.28	\$ 20,554.26
178	May-13	\$6,885.71	\$ 51.39	\$ 6,834.32	\$ 13,719.94
179	Jun-13	\$6,885.71	\$ 34.30	\$ 6,851.41	\$ 6,868.53

Lowell Terrace

21

CDBG PROGRAM INCOME			Principal Amount	\$	997,087.76
LOWELL TERRACE			Years to Maturity		15
			# of Payments		180
			Interest Rate		3.00%
			Pmts per year		12
			Year of Loan		
			Payment		\$6,885.71
#	Date	Payment	Interest	Principal	Balance
180	Jul-13	\$6,885.71	\$ 17.17	\$ 6,868.53	\$ (0.00)
	Total	\$ 1,239,426.90	\$ 242,339.14	\$ 997,087.76	

Lowell Terrace

Memo

To: Kevin Clougherty, Tom Clark, Bob McKenzie, Jay Taylor
From: Randy M. Sherman
Date: September 18, 2001
Re: Lowell Terrace

At our meeting of September 6, 2001, I was requested to put together a proposal for consideration relative to the Lowell Terrace project. In this regard, I present the following background, comments and recommendations.

Background

- In 1984 the City, through the MHRA, made a loan totaling \$1,500,000 to Lowell Terrace Associates, a New Hampshire General Partnership, for the purposes of rehabilitating a fire damaged building at the northwest corner of Chestnut and Lowell Streets. The loan was comprised of two components: a \$1,250,000 low interest portion resembling a note and a \$250,000 portion resembling a limited-term equity contribution.
- The \$1,250,000 portion was to be amortized at an annual interest rate equal to three (3%) percent over a twenty year period following the completion of the construction. The first three years were interest only, followed by 17 years of monthly payments of \$7,826.69. The promissory note required interest payments to begin no later than June 30, 1985, monthly payments of \$7,826.69 to begin no later than June 30, 1988.
- The \$250,000 portion is to be repaid as a balloon payment 20 years following the completed construction. The payment is to equal one-half of the then current market value. The City was also to receive, for 20 years following construction, as proxy for interest on the \$250,000 portion, an annual payment equal to one-half of the net cash flow from the project.
- A project overrun of approximately \$120,000 was funded by Amoskeag Bank with collateral provided by Carolyn Morgan.
- In September 1988, two dates in the promissory note were amended. The payment dates relative to the payments on the \$1,250,000 portion of the note changed from June 30, 1985 to May 1, 1986 and from June 30, 1988 to May 1, 1989. As part of the same agreement, the parties agreed to establish April 1, 1986 as the date on which construction was completed and the City waived all late charges resulting from construction delays.
- Through December 1993, the City had received scheduled payments leaving the principal balance due on the \$1,250,000 portion at \$967,582. The project, however, was delinquent on property taxes. At this time, the parties amended the promissory note to allow the partnership fifteen months to get the property taxes current. A new amortization schedule was agreed upon allowing final payment to be July 2007. The agreement extended the term fifteen months. Payments were to resume on May 1, 1995.

- In February 1995, the City was informed that the property taxes were current. A proposal was put forward further delaying principal payments an additional 21 months, establishing a process to fund a capital reserve account and setting a payment priority upon fully funding the reserve. During the delayed payment period, monthly interest payments of \$2,500 were due to the City.
- On July 5, 1995, the BMA approved the following changes to the promissory note:
 1. The project property taxes shall remain current.
 2. The project shall pay interest payments of \$2,500 until principal payments resume.
 3. A capital reserve account shall be established with both the City and the owners.
 4. The reserve shall be funded with cash flow in excess of \$5,000 accumulated on a quarterly basis.
 5. When the capital reserve reached \$60,000 or no later than December 31, 1996, principal payments shall resume and any unpaid interest would be added to the principal.
 6. Payments on another note (Carolyn C. Morgan) shall not be made until the reserve is fully funded and the principal payments to the City have resumed.
 7. Any operating surpluses thereafter shall be applied to the principal in order to accelerate payoff of the City loan.
- It is unclear if item #7 conflicts with, or supercedes, the provision for the City to receive one-half of the project cash flow, as a proxy for interest on the \$250,000.
- Monthly payments of principal and interest did not resume on January 1, 1997. The project continued to remit interest only payments, without the consent of the City, until July 1, 1998. At that time, the principal balance was recalculated to be \$997, 088. The payments were set at \$6,885.71 and the amortization schedule was unilaterally extended to July 2013.
- In 1999, the partnership attempted to work a pay-off arrangement with the City. The City calculated the pay-off would be approximately \$1,100,000.
- In 2001, the partnership has made a new proposal relative to the amounts owed the City. The partnership is proposing to continue making monthly payments of \$6,885.71 on the \$1,250,000 loan and begin making monthly payments of \$2,684.70 in November 2001 to amortize the \$250,000 loan. Both loans would be fully paid in the summer of 2013.
- The partnership has further suggested that if the City insists on one-half of the market value, the outstanding loans should be deducted from the amount owed.
- The partnership is current on both taxes and monthly payments on the \$1,250,000 loan.
- The partnership paid cashflow of \$35,293 to the City in July 2001. This amount was intended to cover FY96 through FY2000.
- The partnership has not used operating surpluses to reduce the outstanding principal.
- No payments to Carolyn Morgan have been made since 1994. The note has a current balance of \$21,275.

- Using the revaluation as a proxy for market value, the current value is \$1,359,000.

Financial Statements

- The City has received copies of financial statements for the years 1996-2000.
- The statements are compilations only and presented on a tax basis.
- The statements indicate that on December 31, 1996, the capital reserve was funded at \$59,113. At December 31, 2000, the capital reserve had grown to \$260,556.
- The statements indicated that on December 31, 1995, the partnership had \$75,233 in cash of which \$9,573 represented security deposits. The December 31, 2000 balance was \$339,060 of which \$17,705 represented security deposits.
- At December 31, 2000, the partner's accumulated deficit is \$886,845.
- At December 31, 2000, accumulated depreciation equals \$1,727,996 or 95% of property book value.

Tax issues

- At the September 7, 2001 meeting, Peter Morgan stated that now that the project is turning a profit, the partners are making tax payments although they are not making any withdrawals from the partnership.
- The financial statements are reflective of the tax status of the partners. The accumulated deficit has been taken as a tax loss. At even a 30% tax bracket, the partners have received tax savings of roughly \$266,000. Most of this is related to the depreciation on the assets that were paid for from the City's loan.

Recommendation

- The partnership should remit one-half of the December 31, 2000 cash balance, net of security deposits and \$60,000 for a capital reserve fund, to the City representing past due interest on the \$250,000 portion of the loan. This payment would be \$130,677.
- Alternatively, this cash could be used to reduce principal based on the 1995 amendment.
- In the short term, the partnership should maintain the capital reserve at a \$60,000 limit. An independent analysis should be conducted to determine the proper amount going forward.
- One-half of the 2001 cash flow and all subsequent cash flows, net security deposits and deposits or withdrawals to the capital reserve fund, should be remitted to the City.
- The partnership does not have adequate cash to meet the buy-out requirement. The City should allow the partnership the option of amortizing one-half of the market value. The amortization may be over an extended period at a market rate of interest. The partners have recommended twelve years at 7.5%. The partnership may not have sufficient cash flow to meet this type of payment (approximately \$7,250 / month based on current value). A longer term with a lower rate most likely would be required.

- If the partners wish to escalate the buy-out, the City should allow the partners the option. This would allow the partnership to reduce the interest paid from one-half cash flow to a more predictable amount based on the market value of the property, the interest rate and the amortization period. This also would allow the partnership to lock-in the buildings value and avoid future escalation.
- The buy-out amount should not be adjusted for the outstanding debt. The partners extended the term unilaterally. It is clear that the debt was to be fully paid at the time of the buy-out and, therefore, the outstanding balance should not be considered.
- The Carolyn Morgan note remains subordinate to the City obligations.

ACORD™ EVIDENCE OF PROPERTY INSURANCEDATE (MM/DD/YY)
05/31/07

THIS IS EVIDENCE THAT INSURANCE AS IDENTIFIED BELOW HAS BEEN ISSUED, IS IN FORCE, AND CONVEYS ALL THE RIGHTS AND PRIVILEGES AFFORDED UNDER THE POLICY.

PRODUCER USI New England PO Box 6360 Manchester, NH 03108		PHONE (A/C, No, Ext): 603 625-1100	COMPANY Vermont Mutual PO Box 188 Montpelier, VT 05602	
CODE:	SUB CODE:			
AGENCY CUSTOMER ID #: 22152		LOAN NUMBER		
INSURED Lowell Terrace Associates 70 Lowell Street Manchester, NH 03101		POLICY NUMBER BP17020511		
		EFFECTIVE DATE 05/18/07	EXPIRATION DATE 05/18/08	CONTINUED UNTIL TERMINATED IF CHECKED
THIS REPLACES PRIOR EVIDENCE DATED:				

PROPERTY INFORMATIONLOCATION/DESCRIPTION
70-80 Lowell St.
Manchester, NH 03101**COVERAGE INFORMATION**

COVERAGE/PERILS/FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Building #: 1 Sixty Three Unit Apt Coverage: Building Cause: Special (Including Theft)	\$3,047,500	\$1,000

REMARKS (Including Special Conditions)**CANCELLATION**

THE POLICY IS SUBJECT TO THE PREMIUMS, FORMS, AND RULES IN EFFECT FOR EACH POLICY PERIOD. SHOULD THE POLICY BE TERMINATED, THE COMPANY WILL GIVE THE ADDITIONAL INTEREST IDENTIFIED BELOW 10 DAYS WRITTEN NOTICE, AND WILL SEND NOTIFICATION OF ANY CHANGES TO THE POLICY THAT WOULD AFFECT THAT INTEREST, IN ACCORDANCE WITH THE POLICY PROVISIONS OR AS REQUIRED BY LAW.

ADDITIONAL INTERESTNAME AND ADDRESS
City of Manchester
1 City Hall Plaza
Manchester, NH 03101

<input checked="" type="checkbox"/> MORTGAGEE	ADDITIONAL INSURED
<input type="checkbox"/> LOSS PAYEE	

LOAN #

AUTHORIZED REPRESENTATIVE

21



**City of Manchester
Department of Finance**

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

July 10, 2007

Honorable Board of Mayor and Aldermen
C/o Leo Bernier, City Clerk
One City Hall plaza
Manchester, NH 03101

Dear Honorable Board:

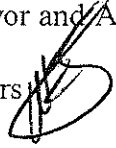
This letter serves to advise that we have not yet received the building level financial information for Lowell Terrace. We have informed Mr. Morgan that this information has been requested by the Aldermen. Mr. Morgan has advised that the information will be forthcoming but we have yet to receive it. Failure to provide this information is a violation of section 9 of the Mortgage & Security Agreement.

Respectfully submitted,

William E. Sanders
Finance Officer

Cc: Thomas R. Clark, City Solicitor

To: Board of Mayor and Alderman

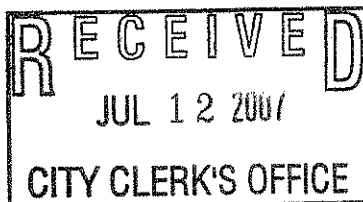
From: Bill Sanders 

Date: July 12, 2007

Subject: Lowell Street Operating Statements

As requested, attached are building level operating statements for Lowell Terrace for the years 2004 through 2006 provided by Mr. Peter Morgan.

Cc; Tom Clark



Lowell Terrace
Building Operating Statements
For the years ended December 31, 2006, 2005 & 2004

	<u>2006</u>	<u>2005</u>	<u>2004</u>
REVENUE			
Rental Income	\$ 267,603	\$ 274,258	\$ 298,067
Other Income	2,231	2,174	2,663
TOTAL REVENUE	<u>\$ 269,834</u>	<u>\$ 276,432</u>	<u>\$ 300,730</u>
OPERATING EXPENSES			
Real Estate Taxes	\$ 38,300	\$ 35,614	\$ 29,346
Gas	34,893	25,623	28,602
Repairs & Maintenance	22,640	13,073	12,396
Management Fees	20,604	18,449	20,866
Interest	15,882	29,852	50,121
Electricity	12,116	10,046	10,497
Insurance	10,038	9,540	9,019
Water & Sewer	9,303	11,758	11,384
Accounting Fees	9,261	3,075	3,255
Janitorial Services	6,351	8,861	7,121
Exterminator	4,305	2,600	1,728
Depreciation	4,068	4,058	12,228
Supplies	3,883	3,171	2,411
Fire Alarm	2,680	2,659	2,832
Waste Disposal	2,160	2,160	2,160
Licenses and Fees	1,315		70
Bank Charges	1,279	1,480	1,754
General Partner Fees	1,200	1,200	1,200
Legal Fees	1,156		4,434
Appliances	898		
Central Business District Tax	828	804	1,656
Rental Equipment	571		
Grounds Maintenance	475	1,620	850
Advertising	461	752	622
Telephone	375	317	374
Entertainment	240	67	325
Rental Incentive Plan Fee	100		
Foreign Tax Expense	38	13	13
Amortization		2,250	2,250
TOTAL OPERATING EXPENSES	<u>\$ 205,420</u>	<u>\$ 189,042</u>	<u>\$ 217,514</u>
Income From Building Operations	<u>\$ 64,414</u>	<u>\$ 87,390</u>	<u>\$ 83,216</u>

To the Board of Mayor and Aldermen of the City of Manchester:

The Majority of the Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

IN BOARD OF MAYOR & ALDERMEN

DATE: June 5, 2007

ON MOTION OF A.L.D. Lopez

SECONDED BY A.L.D. Forest

VOTED TO table.

Paul Bernier
CITY CLERK

Respectfully submitted,

[Signature]
Clerk of Committee
[Signature]

City of Manchester New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of Parkview Street, said point being on the zone boundary line between the B-2 (General Business) zone district and the R-1B (Residential One Family) zone district, and being approximately 115 ft. easterly of the centerline of South Lincoln Street, prior to this amendment;

Thence, easterly along the centerline of Parkview Street, for a distance of approximately 130 ft. to a point;

Thence, southerly along the property line of TM 381/47, and TM 381/46, extended, for a distance of approximately 162 ft. to a point;

Thence, westerly along the property line of TM 381/47, and TM 381/49 for a distance of approximately 30 ft. to a point;

Thence, northwesterly along the zone boundary line between the B-2 (General Business) zone district and the R-1B (Residential One Family) zone district, prior to this amendment, a distance of approximately 190 ft., to a point, said point being the point of beginning.

Said description to include a portion of TM 381/47 consisting of approximately 10,280 square feet of private land, to be rezoned from R-1B (Residential One Family) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

Craig, Deachman & Gowie, PLLC

ATTORNEYS AT LAW
Since 1929

84 Bay Street
Manchester NH 03104
Phone 603•669•3970
Phone 603•665•9111
Fax 603•296•2289

William H. Craig
James W. Craig
W. John Deachman
Marc van Zanten

April 17, 2007

Leo R. Bernier, Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Frederick H. Nixon, Jr.
466 So. Willow Street, Manchester, New Hampshire

Dear Mr. Bernier:

Enclosed herein please find an original Proposed Zoning Amendment which we are filing on behalf of Mr. Nixon regarding the above-referenced matter. Please also find enclosed our check in the amount of \$300.00 to cover filing fees for same.

Thank you for your attention to this matter.

Very truly yours,


James W. Craig, Esquire

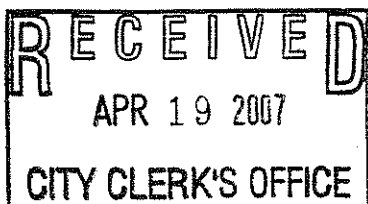
JWC/jlb
Enclosure

cc: Frederick H. Nixon, Jr.

May 15, 2007.
In Board of Mayor and Aldermen.

On motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to refer to the Cmte. on Bills on Second Reading and refer to public hearing on June 4, 2007 at 6:30 PM.


City Clerk



THE H.H. RICHARDSON BUILDING

22

BOARD OF ADJUSTMENT

CITY OF MANCHESTER, NH

IN RE: 466 SO. WILLOW STREET, MANCHESTER, NH

PROPOSED ZONING AMENDMENT

OWNER: Frederick H. Nixon, Jr.

1. Property Description

The property at issue is located at 466 So. Willow Street in Manchester, New Hampshire. It is Map 381, Lot 47 on the Manchester Tax Map (TAB A) located at the intersection of So. Lincoln Street at Parkview Street. It is currently leased to Auto-Torium of 1313 Hooksett Road, Hooksett, New Hampshire. The entire lot is used as a car dealership.

2. Statement of Purpose

The Nixon lot has been used for years as an automobile dealership. The front portion of the lot, closest to So. Willow Street, is zoned B-2 (General Business District) which is a permitted use. The rear of the lot (in yellow) (TAB B) is zoned R-1B (Neighborhood) in which the use is not permitted. It is the intention of this proposal to have the City of Manchester extend the B-2 Zone to include all of Tax Map 381, Lot 47. We have also attached a Proposed site Plan for your information. (TAB C).

3. Property Tax Map

The property Tax Map indicates the Nixon Lot (381-47) and demonstrates how the lot is bisected by the current zoning layout.

4. Impact of Proposed Amendment

The Nixon lot has been used as an auto dealership since the 1960's. Since that time South Willow Street has developed into the premier retail/wholesale area in the City. The Nixon lot fronts upon So. Willow Street. Hertz Rental abuts the lot. Directly across So. Willow Street are commercial uses such as Dynatune Batteries Plus, Payday and U-Haul. Directly off of So. Willow Street and behind the Nixon lot are residential neighborhoods on Parkview Street and Doris Street. This is a classic case where commercial uses abut residential neighborhoods but since this has been the case since the 1960's and there will be no change in use, there should be no impact on existing adjacent neighborhoods.

5. Impact on City

Since this is a minor change in the zoning ordinance and since it is being requested to accommodate a long existing use, there should be no impact upon the City's economy, environment, municipal services or facilities.

6. Abutters

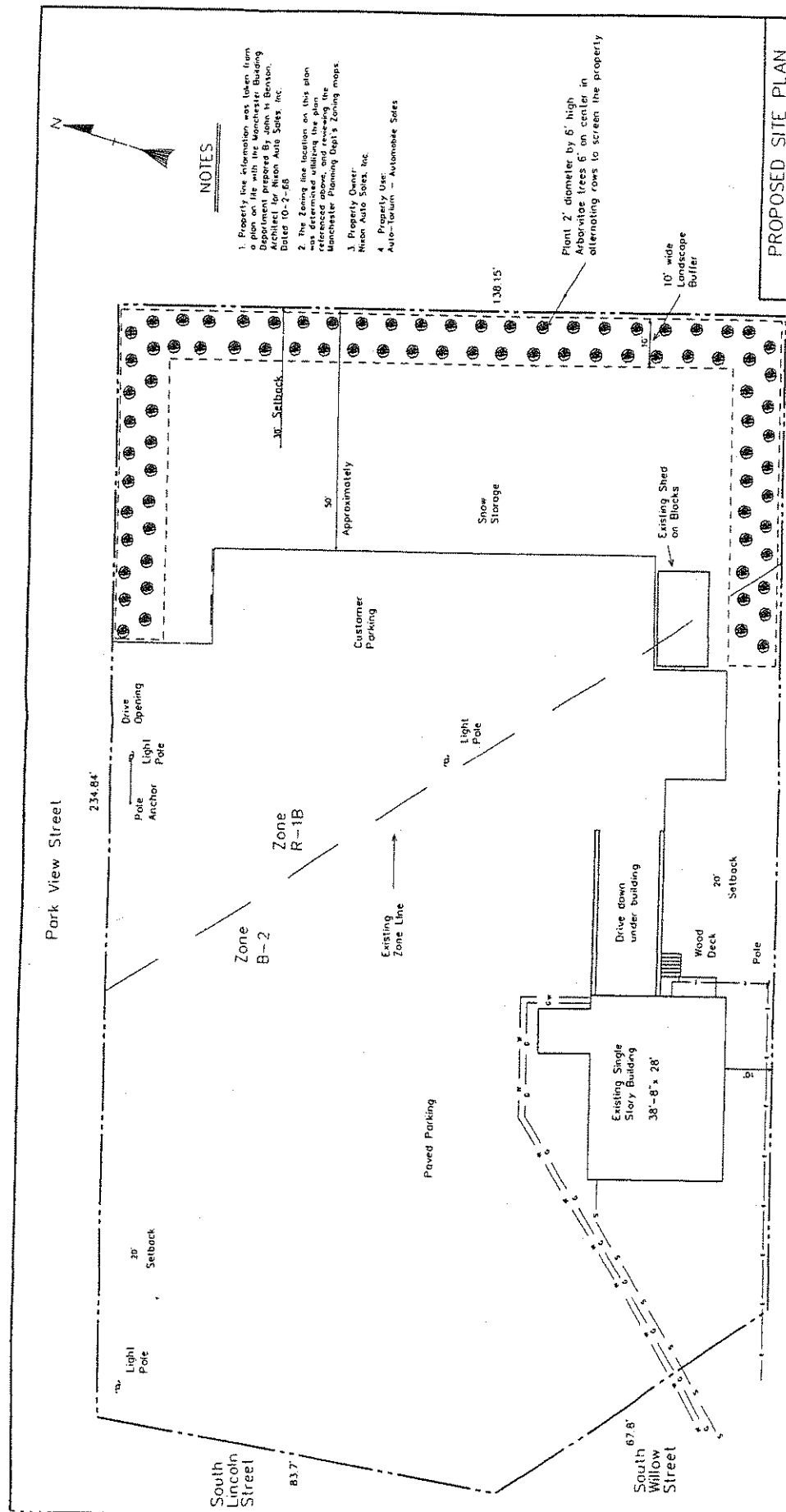
See attached list

7. Fee attached

\$300.00 Enclosed.

LIST OF ABUTTERS

446 So. Willow Street – Bradford Oil Co., Inc. – Lot 437-3
469 So. Willow Street – Charles Zoulias – Lot 437-1L, 1K
476 So. Willow Street – Theodore Katsarakes – Lot 381-48
428 So. Willow Street – Donald W. York – Lot 381-21
264 So. Lincoln Street – Dora Hitchen – Lot 381-33
24 Parkview Street – Thomas Stanley, Jr. – Lot 381-34
34 Parkview Street – Phyllis P. Kline – Lot 381-35
42 Parkview Street – Richard K. Provencher – Lot 381-36
41 Parkview Street - Jennifer L. Jones – Lot 381-46
24 Doris Street – Victoria Engheben – Lot 381-49



NOTES

1. Property line information was taken from a plan on file with the Planning Department prepared by John H. Benton, dated 10-2-88.
2. The zoning line location on this plan was determined utilizing the plan information and the existing zoning maps.
3. Property Owner: Amoskeag Falls Management Corporation
4. Property Use: Auto-Torium - Automobile Sales

Plant 2' diameter by 6' high Arborvitae trees 6' on center in alternating rows to screen the property

10' wide Landscape Buffer

PROPOSED SITE PLAN

AUTO-TORIUM
466 SOUTH WILLOW ST.
MANCHESTER, NEW HAMPSHIRE

Amoskeag Falls Management Corporation
PO Box 877 1650 Elm Street - Suite 200
Manchester, New Hampshire 03105 (603) 876-2311

DATE: APRIL 10, 2001	SHEET NO.
CHECKED BY: PROJECT	SCORE: 1 = 10'
DRAWN BY:	S-1

LEGEND

①	DRIVE WAY	②	WATER LINE
③	SEWER LINE	④	EXIST. LOT
⑤	EXIST. LOT	⑥	EXIST. LOT
⑦	EXIST. LOT	⑧	EXIST. LOT
⑨	EXIST. LOT	⑩	EXIST. LOT
⑪	EXIST. LOT	⑫	EXIST. LOT
⑬	EXIST. LOT	⑭	EXIST. LOT
⑮	EXIST. LOT	⑯	EXIST. LOT
⑰	EXIST. LOT	⑱	EXIST. LOT
⑲	EXIST. LOT	⑳	EXIST. LOT
㉑	EXIST. LOT	㉒	EXIST. LOT
㉓	EXIST. LOT	㉔	EXIST. LOT
㉕	EXIST. LOT	㉖	EXIST. LOT
㉗	EXIST. LOT	㉘	EXIST. LOT
㉙	EXIST. LOT	㉚	EXIST. LOT
㉛	EXIST. LOT	㉜	EXIST. LOT
㉝	EXIST. LOT	㉞	EXIST. LOT
㉟	EXIST. LOT	㊱	EXIST. LOT
㊲	EXIST. LOT	㊳	EXIST. LOT
㊴	EXIST. LOT	㊵	EXIST. LOT
㊶	EXIST. LOT	㊷	EXIST. LOT
㊸	EXIST. LOT	㊹	EXIST. LOT
㊺	EXIST. LOT	㊻	EXIST. LOT
㊼	EXIST. LOT	㊽	EXIST. LOT
㊾	EXIST. LOT	㊿	EXIST. LOT

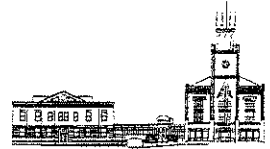


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 11, 2007

Mr. Leo Bernier
City Clerk
One City Hall Plaza
Manchester, NH 03101

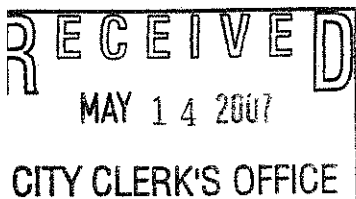
Re: Technical Review for Rezoning Petition – 466 South Willow Street

Dear Mr. Bernier:

In accordance with the policy on rezoning requests, the following information is provided in consideration of a rezoning request filed by the owner's counsel for property at 466 South Willow Street, known as Tax Map 381/Lot 47. The subject parcel is located on the southeasterly corner of South Willow Street and Parkview Street. The front portion of the lot is zoned *General Business (B-2)*, while the rear portion is zoned *Residential (R-1B)*. The applicant is requesting that the rear portion of the site be rezoned to *B-2*, consistent with the front portion of the site.

The entire parcel is approximately 32,700 SF, with more than half of the parcel in the *B-2* zoning district. The parcel has been used as an auto dealership since the 1960's, although the use of the rear portion of the site has been limited because it is zoned residential, not business. While the front portion of the site is adjacent to, and across from, business and industrial uses, the rear portion of the site proposed for rezoning abuts residences on both Parkview Street and Doris Street.

While the future land use map of the 1993 Master Plan for the City of Manchester indicates residentially zoned parcels on the easterly side of South Willow, southerly towards the area of Jobin Drive, many of these parcels are now developed with commercial uses either through variance action or rezoning. As with all rezoning requests that propose the extension of a commercial zone further into a residential zone, the issue that needs to be addressed is the impact of additional commercial activity on the adjacent residential parcels.

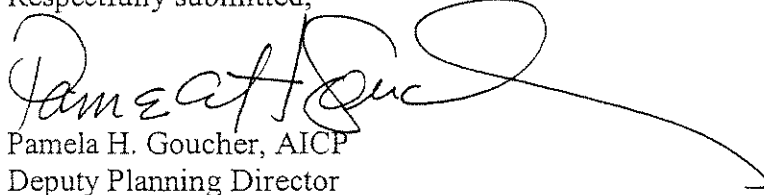


22
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

From a technical perspective, the petition to rezone the rear portion of the parcel at 466 South Willow Street may be forwarded to the Board of Mayor and Aldermen for their consideration and for a public hearing. Consistent with the policy for rezoning petitions, I am forwarding a copy of this report and the petition to the Planning Board, the Building Department and the Office of the City Solicitor for their comment.

The Planning Director or I will be available to answer any questions that the Board may have.

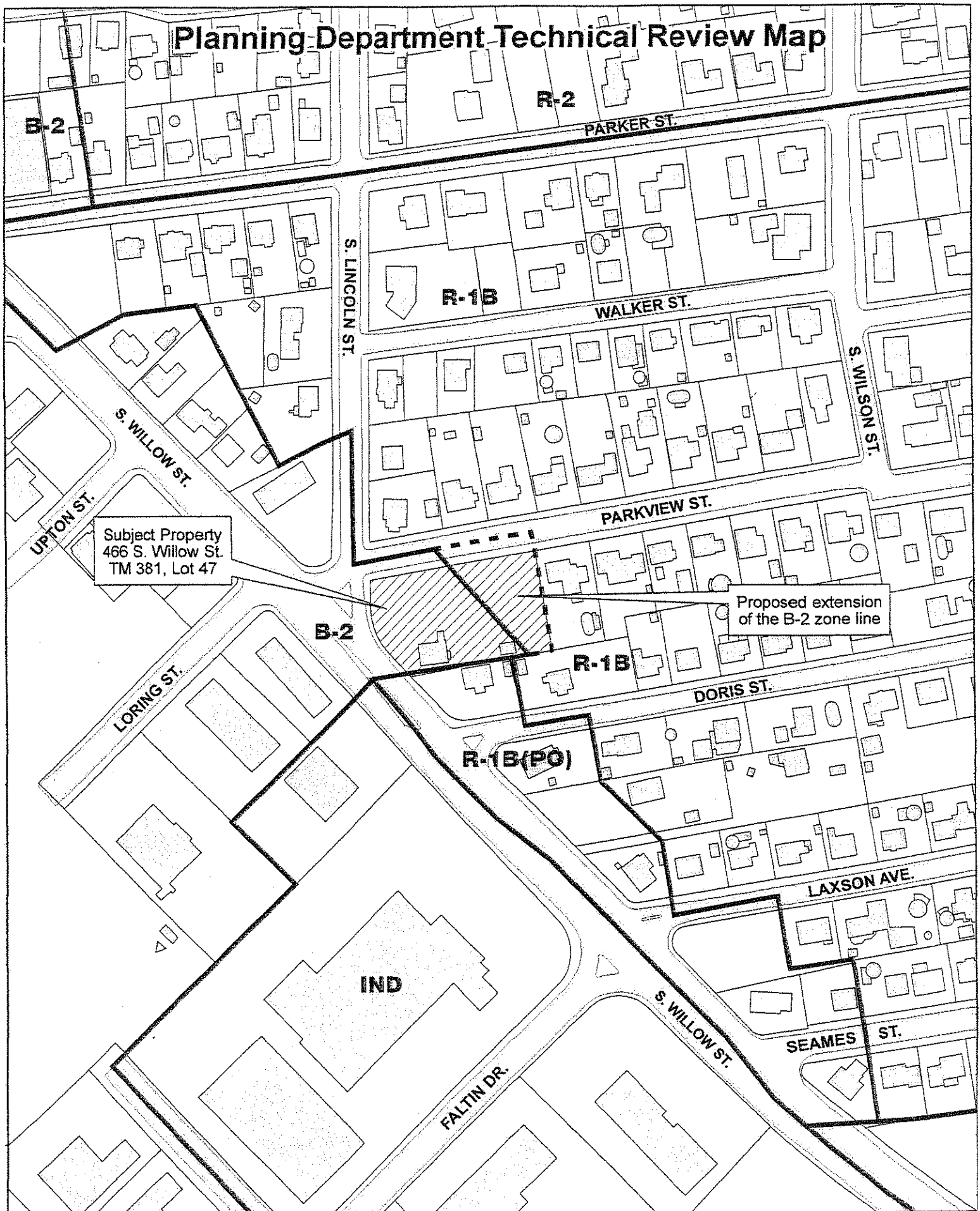
Respectfully submitted,



Pamela H. Goucher, AICP
Deputy Planning Director

C: Planning Board
Building Department
Office of the City Solicitor

Planning Department Technical Review Map



Subject Property
466 S. Willow St.
TM 381, Lot 47

Proposed extension
of the B-2 zone line



22



CITY OF MANCHESTER

Planning and Community Development



Robert S. MacKenzie, AICP
Director

Planning
Community Improvement Program
Growth Management

Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 30, 2007

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Planning Board Comments on rezoning requests: 116 South Main Street; 316 & 322 South Main Street and 466 South Willow Street

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the Planning Board has reviewed the above three rezoning requests and would like to offer the following comments:

116 South Main Street: The Planning Board, while recognizing that the property is split by the zoning boundary had some concerns about the potential impact of business activities on the backyards of residential properties on Walker Street (and perhaps the adjacent Piscataquog Trail). The Board would suggest that should the Board of Mayor and Aldermen wish to approve this request, that either the proposed Business zoning line be pulled back 25 feet from the residential properties on Walker Street or the BMA require the project to come to the Planning Board for site plan review so that an appropriate buffer and screening be implemented.

316 & 322 South Main Street: The Planning Board believes that these lots may be more appropriately zoned B-1 as requested. They also believed that the Board of Mayor and Aldermen may, at some point, want to consider rezoning the entire section of South Main Street from these properties down to Woodbury Avenue.

466 South Willow Street: The Planning Board again recognizes that the zone line crosses the property and makes a portion of the lot unusable. They did question the possible impact on adjacent residential properties, however. As in 116 South Main Street, the Planning Board suggests that should the Board of Mayor and Aldermen wish to approve this request, the BMA require the project to come to the Planning Board for site plan review so that an appropriate buffer and screening be implemented to protect the adjacent residential properties.

I will be available at your next meeting if you have any questions.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

C: Planning Board Chairman

One City Hall Plaza, Manchester, New Hampshire 03101

Phone: (603) 624-6450 Fax: (603) 624-6529

E-mail: planning@ManchesterNH.gov

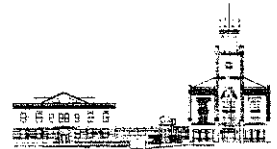
www.ManchesterNH.gov

22



CITY OF MANCHESTER

Board of Aldermen



June 5, 2007

The Honorable Jerome Duval, Chairman
Committee on Bills on Second Reading
One City Hall Plaza
Manchester, NH 03101

Re: "Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot."

Dear Mr. Chairman and Committee Members:

Based on the history and testimony from neighbors in the area at last evening's rezoning public hearing regarding the above petition I wish to note to following for the Committee's consideration.

This particular property has been a source of neighborhood complaints for many, many years. It would be my recommendation that improvements be made to the lot as it should have been many years ago! Once such improvements have been made we will be able to get feedback from the neighborhood residents. But, at this time considering the emotional testimony presented last evening let's not further destroy the quality of life in the neighborhood.

As their Aldermanic representative I, therefore, would strongly **recommend denial** of this petition for rezoning at this current time. Your favorable consideration of my request is greatly appreciated.

Sincerely,

Michael D. Garrity
Alderman – Ward 9